

Austin City Council Work Session - 8/14/2012

>> Good morning, I am mayor
mayor and we will call the
austin work session to order on
tuesday, august 14, 2012 at
9:07 a.m.

We are meeting in the board and
commission room, austin city
hall 301 west second street,
austin, texas, and we will begin
today with our executive
session.

Hopefully short.

So the council will go into
closed session to take up one
071

of the government code, the city
council will consult with legal
counsel on the following item.

That is a1, discuss legal issues
relating to the november 6, 2012

election.

Is there any objection to going
into closed session?

Hearing none, the council will
now go into executive session.

[09:22:16]

>> We are out of closed session
and closed session we took up
and discussed legal items
related to item a1.

We will now go through our b
section and b1 through b4,
public comment is allowed but
without objection, I am going to
propose we limit public comment
to a total of 15 minutes on each
side.

>> Mayor.

>> Council member morrison.

>> Morrison: I guess I am

curious how much time we have
signed up on issues.

I know we have a lot of things
to get through today, but I just
want to --

right now

we have -- we have 7 people
signed up on b4, on one side and
one person on the other.

So we could allocate that time
by their mutual agreement to add
up to 15 minutes.

>> Morrison: Otherwise, we are
talking about 21, 24 minutes?

I guess I would just suggest
that that's not that much
different and that it might be
good to allow those folks that
have signed up by now to speak,
with a request that they speak
in less than three minutes if --
you are

requesting that we allow 21
minutes instead of 15 on item
b4.

>> Morrison: Twenty-four, i
believe.

well, 21
on one side and one on the
other?

>> Morrison: Yes.

all
right.

Council, if there is no
objection, we can do that.

So we will go in order.

Let's go to item b1 first.

Do we have staff on b1?

>> Mayor and council romero,
city legal, b1 is an item we
want at the end of election
section and it is to add items
to the call of election, so if

there is b1, b2, or even b4, b1
would be necessary.

you are
saying you want to take that
last?

>> Yes, sir.

all
right.

We will go to item number b2,
which is a charter amendment to
authorize accounts to create
independent board to oversee
city utilities.

There are no citizens signed up
to speak.

Council.

Mayor pro tem cole.

>> Cole: Mayor, I have some
brief questions of legal and
also, I believe the utility
commissioner is here.

I will ask you to come up,

steve.

We -- thank you, steve.

We passed a resolution and i

would simply like for you to

give a brief update on where you

are when we are talking about

the issue of governance for

austin utility.

>> [Indiscernible]

are we live.

>> You are on.

>> Thank you.

On, I think it was the seventh

of june y'all made a resolution

that the electric utility

commission should provide you

with a report analyzing

governance options for the

utility.

It is a topic we have been

addressing annually in terms of
sending resolutions for you with
recommendations for quite a few
years and so we have a
background on it.

The report that we are supposed
to produce for you is due the
31st of october, which won't be
particularly helpful in making
decisions about charter election
ballots, but we will do what we
can before that.

We are supposed to receive a
report from the city manager
outlining the results of their
analysis, I believe they
retained a consultant to do that
work.

We are supposed to get that data
in on the 31st of august.

The group of electric utility
commission elected tree members,
ones who out of the country
today, linda shaw and myself.

>> Who is the appointees are
those commissioners?

riley and
ms. morrison.

>> Okay, thank you.

>> And yourself.

because
we do have a very crowded agenda
this morning, can we restrict it
rather history of previous
actions to direct actions of
mayor pro tem.

>> Cole: One of my direct
questions is that the -- are you
familiar with the statute
authorizing the general
authorization of city council to

place a ballot on the --

>> yes, we have seen two
different legal routes that can
work here.

One is a local government act
and the other is a texas
government code and the latter
is essentially validating the
san antonio model and the former
seems to provide a lot of
flexibility in how you proceed.

>> Cole: So it is your
understand we have the
flexibility to move forward in a
limited basis.

>> On a wording basis and I am
not an attorney, that one
could -- a municipality can go
by charter or by an ordinance to
make a modification in
governance.

>> Cole: Okay.

Thank you, mayor.

council

member riley.

>> Riley: It seems that the
electric utility commission has
a position on whether we should
place an item on the ballot
authorizing city council to
change the governance structure
of austin energy?

>> No, we don't have a position
on whether it should be on the
ballot.

We have it on whether
modifications of governance
should be done.

>> Riley: That is you support
it?

>> Absolutely.

>> Right now you are agnostic on
what should be on the ballot.

>> Whatever is legally binding.

>> Riley: Okay.

Thanks.

any more
questions?

We need to take some action on
this item.

We also have a city attorney
here who can answer questions

[10:24:01]

and obviously there are some
questions you couldn't answer,
but I guess one question I would
ask you is if -- and tell me

if -- if it requires a legal
answer.

If this item is not put up and
approved by the voters in the
november election, could the
city establish an independent
board?

>> Andy with the city
department.

Around first I think it would
depend on the definition of what
independent is and what exactly
the council would want that
board to be.

And as we discussed, there
are -- the statute is very
explicit about what powers can
be delegated to the board from
the council standpoint.

It is silent on what powers can
be delegated from the

administrative standpoint so
there is an argument that could
be made that without a charter,
a board could be set up that
could exercise under 552,
perhaps rate making authority or
dead issuance or eminent domain.

The problem is when you get into
the details of the charter,
there are any number of places
where our city charter would
conflict with that statute and
the statute is not at all clear
as to what -- what powers that
world could have vis-a-vis city
utility as what is already set
forth in our city charter about
management.

so i
think it's fair to say we could
go either way but what you are
saying is we could go either way
but without a charter amendment,

we would be very limited in --
in administratively how we would
set up this independent board?

>> That --
we would
still have restrictions, but
with a charter amendment, you
would have flexibility as to
what powers or authority you
would give the independent
board?

>> That's correct.

>> Mayor leffingwell: okay.

[10:26:07]

>> Cole: Mayor.

mayor pro
tem.

>> Cole: At this time, based on
advice of legal counsel and

hearing from our electric utility commissioner and knowing that we have lots of items on the ballot and that we do want the flexibility of being able to have the information that's going to be provided by us, i don't think that we should take action right now, but we should simply withdraw the item.

So I would just motion that we would withdraw the item.

is there any objection to withdrawing the item?

Let me just say that I don't necessarily have objection but we would not consider an charter amendment on this for over two years if we don't have it on the ballot this november, so we are

in the position of establishing
limited and at this time unknown
powers or waiting for two and a
half years, most likely, to be
able to change that.

>> Cole: And I think we should,
in good faith, be able to
establish some type of board and
work with the information that
we receive and be able to lay
that out to the voters because
it is ultimately a local
decision and work with the
outside ratepayers so they have
input on that board because,
again, I believe that they
should.

so --

your statement is that without
the charter amendment, we could
set up some kind of board with
some kind of independent

authority, although we don't
know what those limitations
would be?

>> Cole: Exactly.

all
right.

Is there any -- any other
objection to withdrawing the
motion?

Motion -- the item?

The item is withdrawn.

[10:28:01]

So that takes us to b3,
charter -- discussing a charter
amendment to provide conditions
under which the city council may
sell or lease any substantial
part of the facilities of a
municipal utility and we don't

have any citizens signed up to speak, previous action by the council, correct me if I am wrong, it has been approved on first and second reading and we might want to reiterate what the exact language of that item was before we begin our discussion, if we could get staff to do that.

My recollection basically was in -- in my words what we passed was to authorize the utility to have the charter authorize the sale or lease, substantial parts of the utility, provided there is a 2/3 vote of approval by the council and approval by the voters in an election for that purpose.

And the vote on that was 6-1, with me being the no vote.

>> That's correct.

We are still looking for the exact language, but the provision did read that the -- that the -- to keep in place the prohibition of the council, selling all or any substantial part of the utility provided that provision would not provide to any part of the utility that was both found by the council on a 2/3 vote to be unnecessary for the continued provision of affected utility service and that that sale or lease was approved by the voters.

I am not going to reiterate everything i said at the council meeting where it was approved on first, second reading but to say the reason I voted no because i believed it was too restrictive

[10:30:00]

and doesn't give us the flexibility we need to deal with changes and conditions that would materially affect the utility.

I would support my -- if -- if modified on third reading to say, it could begin with the 2/3 vote of the city council.

[One moment, please, for change in captioners]
.

>> Mayor Leffingwell: If the utility found that it were -- made good business sense, for example, to divest itself of a particular plant, let's just

say, for example -- it's
only an example -- a coal
plant because we could do it
more efficiently and more
effectively with better
environmental results in
another way, if we could
generate that power in
another way under all those
conditions, then we would
have the ability to do it.

And of course, we've
discussed this in close
session many times, the
legal reasons why it would
be better to be able to have
flexibility to act quickly.

If we have -- the way the
item was passed on first and

[10:32:00]

second reading, this would be done over an extended period of time, months, perhaps a year, once the decision was made to do it and actually follow through on the transaction, which would affect the utility in a number of ways, which i don't think we can go into right now.

>> Morrison: I've been struggling with this quite a bit talking to folks and thinking about the position that we're in.

And you know, one of the concerns I have is about the issue of, quote, selling a coal plant because that's certainly fraught with all

sorts of complications and
just selling it isn't going
to solve any air quality or
negative effects if it
continues.

I've also been thinking
about the fact that we have
the ability to adjust what
our utilities own.

Certainly we have sold off
pieces of our utility, so
for instance, once it's
decommissioned and all.
So our hands aren't
completelily tied.

So I was starting to move
away -- I certainly
appreciate the work in terms
of getting the strengths of
the conditions of a
two-thirds vote of the

council, then sending it to the voters, but because of all the questions that have been raised and the fact that we do have such a large number of items going on the ballot, I think I'm going to go ahead and switch my vote to vote nay on this item.

>> Mayor Leffingwell: We don't have a motion on the table right now.

>> Morrison: If there is one.

>> Mayor Leffingwell: Councilmember riley.

>> Riley: I appreciate councilmember morrison's comments.

I've been giving this a lot
of thought too and talking
with folks in the community.

On first reading I indicated

[10:34:00]

that I would support this,
but expected to have further
conversations with folks in
the community about whether
there was an appetite for
moving forward as the mayor
suggests without requiring
an election on the sale of
facilities.

And in fact, what I found
was that there was -- there
was even anxiety about what
we passed.

That even with the

requirement of both a two-thirds vote and the election that there were still great reservations about modifying the charter to allow for this.

And so given all those concerns and given the mayor's comments about the fact that we would still -- utility would still have significant constraints on its ability to manage its assets, I have reached the conclusion that the item as currently framed is not worth asking the voters to consider this.

I share your concerns about overloading the ballot, and given all the concerns I've heard in the community about

this item, I've also decided
that this is not the timing
to forward with this
amendment as currently
framed.

So I also expect to vote
against this item.

>> Cole: And during the
time that we're
contemplating changing our
entire governor enunanimous
structure at the same time
making major changes in how
we run the utility there is
something to be said about
continuity of process.

I think the way we have it
now will allow us the
maximum flexibility and
experience with what we know
to continue.

So I also will support

withdrawing the motion.

>> Mayor Leffingwell: We
don't have a motion on the
table at this time.

[Laughter].

Someone has to make a
motion.

>> Cole: I will make a
motion that we withdraw item
b-3 to provide for the city

[10:36:01]

council to sell at least a
substantial part of the
facilities of the municipal
utility.

>> Morrison: Second.

>> Mayor Leffingwell:

Motion to withdraw the item
with a second.

Let me just say I would have
objected to a unanimous
approval of that.

I still think it's very
important that the utility
has the fleck to make
these -- flexibility to make
these decisions and make
these changes in an
environment that has the
potential to be changing
very rapidly.

In the near time frame,
within a few years.

I think to not have this
flexibility puts the utility
at very significant risk,

and therefore I can't
support the motion to
withdraw.

I think we ought to address
it.

I think we ought to simplify
it so that it can be done
better.

And I say all of these
things for one reason only
because I think it's
necessary to ensure that the
city of austin continue to
own and operate a municipal
utility.

So any further comments?

>> Cole: Mayor, I simply
have a question for you.

Can you tell us more about
why you think this item will
be a make or break deal for

the operation of the
utility?

>> Mayor Leffingwell:

Well, because as I said, in
the environment that we're
in right now with the
potential for changing
legislation about how
utilities are treated within
the state of texas, and, as
I understand, the situation
with changing costs of
different kinds of
generation, I think the
utility has to be able to
conduct its business in a
way, in a businesslike way,
in a competitive way, so
that even though we're not
legally in a competitive
environment yet, we
certainly potentially could

[10:38:00]

be.

And without this

flexibility, the flexibility

that iou's have, mou's need

to be on the same playing

field.

All in favor of the motion

to withdraw say aye?

Opposed say no.

That motion passes on a vote

of five-one with myself

voting no and councilmember

spelman off the dais.

That takes us to -- do we

need item b-1 before item

b-4 on or can we take up b-4

now?

>> You can take b-4 now?

>> Okay.

So we have several speakers
signed up.

>> Martinez: Mayor?

I just want to make a
request.

I think we have multiple
proposals that are going to
come forward, and we also
have multiple speakers on
those potential proposals.

It's not tradition, but
without objection, I would
like to start by making a
motion and hopefully -- many
of us will have to leave by
12:30.

If all of the speakers

speaking, we may not even get
to take action on this item.

I would really like to give
a sense of direction to the
speakers of where this
council might be headed with
a potential bond package.

So I'm going to make a
motion to adopt a
385-million-dollar bond
package with some
amendments.

>> Mayor Leffingwell:

Motion by chair to adopt a
385-million-dollar package
with amendments.

>> Cole: Mayor, I have
hopefully a friendly
amendment to that.

>> Mayor Leffingwell: I
need a second first.

Are you seconding?

>> Cole: No, I better not
second that.

[10:40:00]

>> Riley: I'll second.

>> Mayor Leffingwell:
Seconded by councilmember
riley.

>> Martinez: Thank you,
mayor.

I wanted to lay out the
changes and shirley I also
have extra copies and staff,
I have extra copies if you
need it.

>> Morrison: Could you
pass one down?

>> Mayor Leffingwell: I

think it would be
appropriate to hear from our
speakers before we get into
the discussion.

So with that, I'll go ahead
and call the first speaker,
sylvia roscoe.

>> [Inaudible - no mic].

>> Mayor Leffingwell:
Okay.

Next speaker -- we'll go
ahead and take lulu flores
and you have two people
donating time to you.

So you have up to nine
minutes.

>> I'm not going to -- i
have to leave for an
appointment, which is why

sylvia is not giving me her
time.

She just asked that I be
allowed to speak first, and
I appreciate that
consideration.

I would just like to
publicly state my support
for the proposed addition to
five million dollars for the
mexicarte musician project.

I believe this is a vital
program that will help
enhance not only the fifth
street corridor, but the
whole downtown community.

We have a stunning new
building that is being
proposed.

We have the -- the time is
now.

We have some private funds
that have been lined up as
well as some potential
federal funds.

And I believe the timing is
now and I've been working on
this proposal -- on this
program myself for quite
some time and I believe it's
time it comes to fruition.

I think it will be a

[10:42:01]

wonderful edition to the
city of austin.

It will have a great
economic impact.

The proposed building will

just be, as I said, a
stunning addition to the
already vibrant downtown
community.

So I would just urge the
council to fund this program
at the proposed five million
dollars.

And thank you for your
consideration.

>> Mayor Leffingwell:

Thank you.

Ruth glendenning.

>> Hi.

I'm ruth glendenning, I'm
here on behalf of core
health foundations
accessible fishing pier.

I've got a few words to say

about it.

My late husband was in a wheelchair and when somebody goes from abled to disabled, their sense of community completely shifts.

What's exciting about this fishing pier is it's a way for cross-generational families and all kinds of family people to come together to stay engaged in the austin community.

The core health foundation specifically works with brain injury patients.

And what they need is a quiet space, so this is different than the

boardwalk.

They need someplace where they can actually engage and feel like they're a full part of everything.

One of the largest growing groups in austin is the aging population and returning vets and this would also be a great opportunity for them to continue to participate in community and be part of the lady bird lake opportunity.

So finally, this is the brainchild of eric mecowsky and did he this while on the mayor's committee for people with disabilities.

This was approved by the

city council in november of
2010 and we've already
raised 247,000 of the
400,000-dollar total, so
we're looking for 150,000.

And we're excited about the
bond package and anything we
can do to help community be
available to everybody in
austin.

>> Mayor Leffingwell:

Thank you.

Next speaker is fiona

[10:44:05]

mazavonko.

>> My name is fiona.

I am the community and
neighborhood initiatives

director at austin habitat
for humanity.

I wanted to remind you all
of the enormous need for
affordable housing and home
repair in austin and stress
the support for at least
\$75 million of the bond
package going toward
affordable housing in
austin.

Thank you.

>> Mayor Leffingwell:

We're getting down on that
21 minutes here.

Regina rogoffe.

>> I'm regina, ceo of
people's community clinic.

I'm in support of adding a
two-million-dollar provision
for support of people's
community clinic in east

austin.

I'm providing you with a short memo, a legal brief to respond to some of the questions that have been raised about our project and why I think it is something that is legally authorized by the city council to pursue.

We are not a hospital.

Our purposes are not hospital related.

We are providing services that exceed those of medical.

We include a variety of services that are in alignment with the city's health and human services

department, including
immunizations by way of
contract with the city, hiv
and std testing, nutrition
and lactation counseling,
teen pregnancy prevention
services, child obesity
reduction strategies,
including prescription for
fruits and vegetables

[10:46:01]

programs, and cooking
classes, as well as reach
out and read.

We're also part of the
city's tobacco reduction
program.

We believe that we clearly
will come within the

authority of the city
council and I think that the
memo speaks for itself.

I won't go through the legal
arguments that I've made
there.

If you have any questions,
please feel free.

>> Mayor Leffingwell: Any
questions?

Councilmember morrison.

>> Morrison: Mayor, we did
have an opportunity to
discuss this to some degree,
and I wish -- I wonder if we
could ask our legal staff if
they can talk a little bit
about additional information
that I gathered about

interaction with the
attorney general about a
related issue.

In terms of the process of
getting the approvals after
the voters approve a bond.

It's my understanding that
we've actually done some --
some early discussion to get
a sense for whether or not
they would approve a bond
issuance.

And can you talk a little
bit about whether you
gathered any information in
those discussions about
whether or not something
like this would be
appropriate?

>> Councilmember, that's
correct.

Lela fireside with the city

legal.

And then I have with me

jerry kyle with andrews and

kurth and who is our outside

bond counsel.

We do as propositions are

being developed make

inquiries of the public

finance division, which is a

division of the attorney

general's office that

lawfully approves bonds to

find out whether our

propositions are worded in a

way that if they passed that

the public finance division

would approve the bonds.

And they have raised some

kyle has

been the person who has been

having those communications.

So he can speak directly to
the issue of health clinics.

>> Jerry kyle,
andrews-kurth.

[10:48:02]

And in terms of vetting the
propositions with the
attorney general's office,
we did visit with them about
the health and human
services purposes, which
includes public health
related measures.

And as part of those
conversations the ag did
identify the constitutional
concern with the creation of
the health care district
being kind of -- taking over

responsibility for medical
care and hospital care.

So that's on their radar.

>> And that was actually in
regard to a different
specific item, is that
correct?

>> Yes, ma'am.

It was in connection with a
different purpose, yes.

>> Morrison: Can you
identify what purpose that
was?

>> Sure.

It was related to the
immunization programs that
the city maintains and some
of the other public health

type programs that are
administered by the city.

>> Morrison: And it's my
understanding that we were
actually talking about a
specific item that would
have bond funds go toward a
joint -- a joint facility
with pard and our health and
human services to actually
provide health services.

Is that correct?

>> Yes.

>> Morrison: So was there
any discussion there about
the public health realm
versus central health's
primary carrell am?

>> Other than the attorney
general kind of looking at
the general type of services
that are provided or
proposed to be provided in

connection with the purpose
that we've precleared,
beyond those purposes, no,
we did not.

>> Morrison: Okay.

And one other thing -- one
of the things we could

[10:50:03]

consider is that providing
bonds for people may or may
not be approved.

Can you talk a little bit
about what would happen if
we went with an approach
that said let's include
enough money in a health and
human services bond that
could cover a participation
with people should it be
okay by the voters.

And then we would go to the attorney general once we wanted to issue those bonds and they would say yay or nay.

Can you tell us what the consequences of them saying nay might be in your opinio

>> yes.

I mean, to the extent that that purpose is out there as a contemplated use of bond proceeds, there's the potential for establishing or giving rise to a contract with the voters, which might induce voters to vote for the proposition for that purpe.

To the extent that there are
kind of fundamental concerns
about -- questions about
whether or not those are
permitted purposes, it could
affect the validity of the
proposition in my view.

>> Morrison: Of the whole
proposition itself.

So if it were bundled with
something else, those other
things -- the bonds for them
might also be voided and we
wouldn't be able to issue
bonds for them?

>> Yes, I think that's a
possibility.

>> Morrison: Is there a
possibility of actually
having an independent
proposition on this and then

we wouldn't run into that
problem?

[Laughter].

>> I'm struggling a little
bit because it's pretty
clear that --

>> Mayor Leffingwell: Feel
like you need another
executive session to discuss
that topic?

>> Well --

>> Morrison: Or if you

[10:52:00]

would like to take a minute
we could hear from some
other folks and get back to
this question.

>> I guess I could say that
I think that would be
problematic to present a
proposition where there are
questions about whether or
not it's a permitted
purpose.

I mean, real fundamental
legal questions.

>> Morrison: All right.

Thank you.

>> Mayor Leffingwell:
Councilmember tovo.

>> Tovo: With the
understanding that if you do
need to take this into
executive session or get
back to us later, I'll just
ask what would be the worst
case scenario if it is -- if
it is its own proposition

and it passes, but we're
told it wouldn't be within
our capacity to issue those
bonds.

Then we don't issue them.

Are there other risks that
I'm not aware of?

>> Not that come to mind.

That's the threshold issues
is not being able to issue
the bonds after having
gotten approval from the
voters.

>> Tovo: But it wouldn't
call into question any of
these bonds that were
approved via the other
propositions?

>> The other measures on the

ballot, no, I don't think it
would, no.

>> Tovo: Okay.

Thank you.

>> Mayor Leffingwell: Is
there any concern about
putting an item -- a stand
alone appropriation on the
ballot that -- alone
proposition on the ballot
that per best advice is not
a valid proposition?
Are there any concerns about
that?

I think a moment ago you
said it was problematic.
And if you think it falls in
the realm of legal advice we
can discuss it in another

executive session.

We'll have other

[10:54:00]

opportunities perhaps

tomorrow.

>> I think, yeah.

>> I think that would be a
good idea.

>> Mayor Leffingwell: All
right.

>> Tovo: Thank you,
councilmembers.

Mayor.

>> Mayor Leffingwell:

Thank you.

Tom spencer?

>> Mayor, councilmembers,

thank you for the
opportunity.

I served on the bond
election advisory taskforce.

I am the ceo of interfaith
action of central texas.

The experience of serving on
the taskforce is very
similar to the situation you
find yourselves in right
now.

For those of us who served
on the taskforce it was a
rather painful experience of
deferment.

We were presented with over
5 billion in need and
were asked to whittle it
down to a 385-million-dollar
package, which as you are
well aware we did not do.

We presented four
hundred-million-dollar
package and one north of
that as well.

Because we found it too
difficult to say no to too
many vital projects.

Well, I do understand the
situation you find
yourselves in.

I am here to speak as an
advocate for affordable
housing and I am painfully
aware as a homeowner as well
that property taxes are an
affordable housing issue
too.

However I'm here to speak
very much in favor of --

that you fund affordable
housing at the highest
dollar figure possible.

The last time we asked for
affordable housing bonds was
2006.

That was six long years ago.

The money was spent and it
was well spent, making a
critical investment in this
community that ensured that
austin remains a welcoming
place for thousands who
cannot afford to live in our
community, which is becoming
increasingly more of an
issue for this community.

In 2010 we had
transportation bonds.

And likely we will have
transportation bonds again
in the near future.

I am not speaking for the

[10:56:00]

taskforce when I say this,
but I ask that you perhaps
look at deferring some of
the money in transportation
and keep the window for
affordable housing open.

It's highly unlikely that
we'll be coming back to the
city of austin for this
great need in the community
in the near future for
affordable housing and this
is the critical pot of money
the federal
government is not doing

affordable housing, the
state is not doing
affordable housing.

This is the vital piece for
funding these programs that
ensure that we ensure a
welcoming community for all
austinites and I ask that
you fund affordable housing
at the highest dollar figure
possible.

Thank you.

>> Mayor Leffingwell: Tom,

I have a question for you.

And I'm just kind of
floating this out there.

I want to get your opinion
on it.

How would you feel if this
proposition were broken into

two propositions.

There would be one part of
it would be for permanent
supportive housing and the
other part would be for
affordable as yet
unidentified projects.

>> Initially my response is
I don't understand the need
to break those out right
now.

I do know that there's
tremendous need for
permanent supportive housing
in this community and
there's great support from
the business community and
other sources of very
important centers of power
in this community that
support that initiative.

I don't know how that would
play out in terms of the
voters.

I think keeping them united
really would send to more
voter support for the
proposal.

So keeping them together
makes the most sense just
off the top of my head.

>> Mayor Leffingwell:

Yeah.

The whole idea, as you may
recall, the 2006 affordable

[10:58:00]

housing bond proposition had
\$55 million in it, but as
the years went by, we saw
this more and more critical

need for permanent
supportive housing, and by
council direction at that
point it was decided that
the remaining money -- and i
believe mayor pro tem cole
actually started that
effort, would be directed
towards permanent supportive
housing.

Because we felt that's where
the greatest need was, where
the most critical need was.

>> The critical need is all
over community.

And I understand again phs
being high on the list of
priorities.

I think the city staff did
an excellent last job last
time prioritizing the

objects to be funded and finding partners who are able to move and I trust they will be able to do so again without having to decide in advance which pots of money will be going where.

>> Mayor Leffingwell: And

I agree with flexibility is a good thing to have, but there's also the practical aspect of will voters approve this or not.

I think the increasing tendency is that voters are more likely to approve things when they know with a high degree of specificity what it will be spent on.

>> And I think there's some

wisdom in that.

Thank you.

>> Cole: Mayor, I would
like to add to your comment.

>> Mayor Leffingwell: Wait
a minute.

Councilmember tovo.

>> Tovo: spencer, i
want to thank you for your
service on what must have
been a very daunting task.

I know our piece of it has
been really a struggle with
no easy answers.

So thank you to the
taskforce for all the many
hours you've spent on it.

I wondered since we're
talking about housing and

some of the other components
that might be contained
within that affordable
housing money, I know your
organization has a-- does a
lot of service in this
community with regard to
home repairs.

And I just wanted to verify
with you that home repairs
will also be a component
that could be funded through
affordable housing bond
money.

>> It was funded as a result
of the 2006 bond package,
yes, and we anticipate that
it will continue to do so in
the future.

>> Tovo: Do you
anticipate -- I'm asking an

easy question here.

Could you give us a sentence
or two about the real
importance of home repairs
as you see it in your work
everyday through iac?

>> The people that we serve
are largely people living in
deep poverty in east austin.

Our program specifically
targets senior citizens
living on about \$10,000 a
year.

Most of our clients are
widows who have lived out
their lives and have worked
their entire lives in our
community.

They are living in homes
that many of us would find

absolutely deplorable.

I have referenced at the
last council meeting we
recently encountered a woman
who lives on a gentrifying
street in east austin,
didn't know where to turn
for help, living in a home
without any kind of heating
source and without running
water.

She was actually having to
slip out at night and fill
buckets with water from
her -- from the garden hose
of her neighbor because she
had no water and she was
ashamed to ask for help and
ashamed that her neighbors
would turn her in and have
her home demolished because
it was in such poor

condition.

She's never lived in any
other home other than this.

For 60 years in the city of
austin.

When people think about the
conditions of foreign
nations or appalachia or the
border or the cologne in as,
they exist here in austin.

We don't see it.

It's real and the bond
monies in 2006 helped
hundreds of individuals like
her and we want to continue
to do that.

>> Tovo: Thank you.

>> Cole: Councilmember
morrison.

>> Morrison: spencer,
can you remind me of when we

started funding home repair
with our bonds?

>> Late in the game.

Incidence the first money
was posted in 2010,
councilmember.

>> Morrison: And I ask you
that just to make point that
there were four years of
discussion about whether or
not we could use our bonds
for that, our housing bonds
for that purpose.

So we're having this other
discussion about people and
just wanted to point out
sometimes they can be very
complicated issues that take
awhile to sort out.

>> Cole: Thank you.

Our next speaker is mary

arnold.

Didn't I see mary?

>> Good morning, members of
the city council.

My name is mary arnold.

I'm here to speak against
the inclusion of an item on
your bond package.

I'm here to hand you five
million dollars that you can
use for something else and i
hope you will.

I'm here to speak against
the inclusion of five
million dollars for the
design of emmitt shelton
bridge on red bud trail.

I have allonges history of
this project as it evolved.

And I still think that it is
nftpt, not ready for prime
time.

Nrfpt, not ready for prime
time.

[Laughter]

the fellow from street and
bridge made a representation
at the west austin
neighborhood group meeting
in june after I had been to
one of the bond workshops
out at anderson high school
and discovered to my horror
that they were proposing
\$18 million to build a whole
new bridge where we now have
an emmitt shelton bridge
which honors the, quote,
father of westlake hills.
And a bridge which carries
traffic that goes to

westlake hills at night and
comes into austin from
westlake hills in the
morning.

But this bridge built in
1948 is now called obsolete.
A traffic count of 12,000
per day was used in his
presentation, but I have no
idea if that is when that
traffic count was done.

He talked about the trucks
going over that bridge to
the ulrich water treatment
plant.

That's what I dealt with
back in 1989 when I was a
member of the water and
wastewater commission and we
had just finished the
brackenridge tract

agreement.

And one of the things in that agreement had to do with the protection of the cliffs on the southside of town lake in that area, lady bird lake now.

And the fact that they are a very important and seem to be historic natural area.

And they were mentioned in our brackenridge development agreement as a very important thing that should be protected.

And the university of texas was not allowed in that brackenridge development agreement to develop close to the edge of those cliffs and they promised to protect them.

[Buzzer sounds]

so I'm asking that you take

it out not.

There's already an item in

there for five million

dollars for design of new

projects.

Let's work on this one some

more with the waste and

wastewater development, the

urban transportation

commission --

>> Mayor Leffingwell:

Thank you, mayor.

>> That has not been done.

>> Mayor Leffingwell: All

right.

Gotcha.

Those are all the speakers

that we have.

Councilmember riley.

>> Riley: Mary?

Could I -- I just wanted to

ask you about this item

because all we've heard from

the staff is that this is

the one bridge in our area

that is in -- not in good

shape.

I may be getting the

terminology wrong, but all

our other bridges are in

good or excellent condition

and this one is not.

So for maintaining our

infrastructure, the argument

is that we ought to set a

process in motion to be able

to replace it.

Surely there will come a

time when we need to do

something with this bridge,

either replace it, upgrade
it, do something to make
sure that it -- that we're
appropriately safeguarding
the safety of those who
would use the bridge.

Why wouldn't now be an
appropriate time to start
moving in that direction?

>> Because what's being
proposed and what shows in
your backup is a plan that
cuts in to the cliffs.

It takes away that beautiful
natural curve.

It leaves access to red bud
aisle, which is a -- red bud
isle, a public city of
austin park, only from the
westlake hills side as far
as cars are concerned.

This is proposing to take
out the bridge from red bud
isle across to lake austin
boulevard.

And it doesn't tell how the
pedestrian access is going
to be handled.

>> Riley: Sorry to
interrupt.

You would say that we ought
to be doing more planning as
a community before we devote
this level of funding.

>> Absolutely.

And that it can be done
through that other project
of five million for design
of new projects.

>> Riley: Thanks.

>> Thank you.

>> Mayor Leffingwell:

Councilmember tovo.

>> Tovo: I have a question

for staff about this item,

please.

And also, councilmember

morrison and I have also put

a proposal in front of our

colleagues.

And one of the items that we

did propose reducing is the

emmitt shelton bridge.

And I wondered if you might

just be specific about how

much you think design would

be or some initial planning.

What we've proposed is

reducing it to two million

dollars.

From a five-million-dollars

to allow for some beginning planning and design, but not execution.

>> I think that the need for the replacement of bridges, as I stated last time, and councilmember riley reiterated some of those points, that the bridge is in a condition that's not good and we do need to start the process to replace it.

In addition to providing a vital transportation connection, this is the only way we have to service the ulrich water treatment plant.

So those are the facts that deal with the current condition of the bridge.

So if I can stipulate here
that we all agree that there
is a need to get started,
the amount of money needed
for the design entails not
just the actual engineers
working on the design, but
there will be some fairly
significant outreach efforts
that will be required as
well as some environmental
investigations and
coordination.

So we want to make sure that
we have sufficient funds to
move the project forward so
that we don't get into a
position where it's
replacement is delayed which
can lead to closures, limits
on traffic and all sorts of
things that are not
beneficial.

As I stated last time that the amount of money, the five million dollars, was an estimate base pond what we thought -- base pond what we thought the replacement value would be, which would be somewhere in the 15 to 16-million-dollar range.

So we put about a third of that aside for the design of it.

Certainly we need to get started.

I think there was some discussion about reducing it last time to about three, three and a half million dollars.

I think that's enough to get

us started on the process.

>> Tovo: And my thought in
advocating for a
two-million-dollar figure
instead of five is to get
the process started.

It allows you to begin
starting having some of
those meetings because we
probably all get a lot of
email about this.

I know there will be a lot
of community outreach
necessary, but it also
allows staff to go forward
and talk with some of our
neighbors about the
possibility of making this a
joint project.

And so explore in additional

funding options.

Maybe my colleague would
like to elaborate on that.

>> Mayor?

>> Mayor Leffingwell:
Councilmember morrison.

>> Morrison: As i
mentioned earlier, and
arnold brought the issue
up, and that is it seems to
me that if we have an
element -- something that
we're responsible for, but
that is most heavily used by
other communities that we
should at least explore
openings for some joint
work.

I do have one question that
your comments brought up for
me.

Have we looked at the option
of replacement versus -- of
renovation versus
replacement.

And do we actually know for
a fact that it is not
salvageable?

arnold
said, was built in the late
1940's for a much lower
capacity.

Not only in terms of number
of vehicles, but the weight
of the vehicles.

So for the current purpose
that it serves, it's
inadequate.

She's also right in that the
design that has been put
forward as a concept is
significantly different than

what's there right now.

Part of the design process is to go through and see what the future projections are going to be and what we can accommodate.

In terms of what type of replacement has to be put in place.

>> But I guess I didn't really hear an answer to the question.

Do we know -- you said it's not adequate, but how do we know that we can't -- in terms of weight, for instance, how do we know that we can't just go in and beef it up as opposed to replace it?

Clearly that might not change the capacity, but are

you saying we need to
replace it because we need
to increase capacity?

>> I think the answer is yes
to both.

One is that there were
repairs made to the bridge
in the late 1980's, early
'90's, to expand its life
cycle.

There's only so many times
you can patch that bridge.

So in terms of the
structural part of it, at
this point it's better to
replace it because it's a
better long-term solution.

And that when you replace
the bridge for the load it
depends on the size of the

members and how big you want to make it.

The capacity issue is one of how many cars can go across it during the course of a day.

There are some safety issues with the curve once you get across the bridge as well.

There have been numerous accidents there.

I don't have those statistics with me, but it is strictly when the pavement gets wet it is a pretty dangerous place as well, so there's a public safety impact in terms of replacing it with a different concept.

All that, though, as i
understand, is part of going
through a design process to
figure out what the best fit
is for it.

Many times you'll put a
proposal out initially and
build something entirely
different when you're done.

So I don't know that I would
get too concerned that what
we have put in the back or
what we're proposing now is
the final solution, but i
wouldn't rule it out either.

I just think we need to get
started on the design to
figure out where that is.

And as we go through the
design and we do some

investigation, there may be
the need to do some
temporary bracing and that
would be considered I think
part of the design process
as well, which is why we put
a larger number into the
design estimate.

>> Morrison: Okay.

I guess my comment on this
is I'm glad that it looks
like we might be able to do
some studies and look
forward to -- move forward
with a smaller amount than
five million.

But if we do include any
funds, I want to make it
clear that for me it's
really important that we're
going into it with no
assumptions and that we have
the community discussion

about what are the options
for renovation.

I think we need to look at
the historic significance of
it.

We need to look at options
for other folks
participating in it and get
real clear on what values
will drive this replacement
or this work.

Whether or not it's a
replacement.

>> Mayor, I have a quick
question.

>> Mayor Leffingwell:

Mayor pro tem.

>> Cole: I want to know
what funding you need for
the preliminary design work.

>> To get through

preliminary evaluation, i
think we can go through, as
I said before, about three,
three and a half million
dollars, that will give us
sufficient dollars to go
through the engagement,
engage an engineer and get
the design where we know
what the concept is that
we'll invest in detailed
design.

>> Cole: Thank you.

>> Mayor Leffingwell: I
have a question.

Once you get a design, then
presumably you need to build
it or repair it or whatever
the option is.

So where is that money going
to come from?

>> We'll have to come back
and get bond monies to fund
the replacement of the
bridge.

>> New bond money?

>> New bond money.

>> So normally that happens
about every six or seven
years.

Is that time frame -- does
that time framework for what
you think is the need to
have that -- this entire job
completed?

>> Most likely not.

I think depending on when
the next bond election is
there may be a need to fund
it through another mechanism
such as certificate of
obligation or some other
means.

Certainly councilmember

morrison pointed out that
there maybe an opportunity
to find other sources of
fund as well business but we
need to know what it's going
to cost and where we can go
for some of the other
sources of funds.

>> Mayor Leffingwell: So
what's a ballpark for the
total cost of it?

>> About \$15 million for
replacement.

>> Mayor Leffingwell: That
is for replacement.

>> Replacement.

>> Mayor Leffingwell: And
what about repair?

I guess you don't have
really much of a feel for
that at this point?

>> I do not.

>> Mayor Leffingwell: So
15-million-dollar co is
pretty hefty.

Councilmember tovo.

>> Tovo: I just need to
make a correction to what i
said earlier.

We are proposing reducing it
by two million to three.

I said it backwards.

So just to clarify that
would bring it around to
where last week you said it
would need to be to get the
process started, three to
three million.

And our proposal would have
it at about three million,
again to get the process
begun and moving.

I had questions on a
different subject if my
colleagues are ready to turn
to something else.

>> Martinez: Mayor, I had
a motion laid out and i
wasn't able to lay it out
due to objection by the
mayor.

>> Mayor Leffingwell: No,
I just wanted to let the
people speak.

>> Tovo: I did have a
question for a member of the
public.

>> Martinez: No problem.

I didn't have a problem with that.

I said without objection and you objected, so we went on.

[Laughter].

>> Cole: And I will have a motion to substitute.

>> Martinez: I suspect there will be lots of movement here.

We'll just have to keep up with the bouncing ball.

So my motion that I made was for 385-million-dollar bond proposal.

And it's largely what staff has recommended with the

following exceptions.

In order to create either reductions and/or savings, however you want to term, northwest substation would be 8 million for acquisition and design, which is in line with the city manager's memo that we received yesterday evening. The harold court facility is a general project of remediation and improvements, and I'm proposing a reduction in that size of the request to the taskforce recommendation of 11 million, which creates five million dollars of available bond space.

Similarly the park
recreation facilities is a
general request for a
recommended \$10 million for
facilities improvements.

No identified specific
projects.

I'm recommending eight
million to alleviate another
two or to create another two
in bond capacity.

The next two on the sheet,
the park palm park and
waterloo I am not -- I am
removing those from the
proposal, keeping them at
the 1.5 million.

That I'm eliminating.

And that's on the sheet.

Again, this is a work in
progress.

The i-35 improvements as was
discussed the other day,
clearly we are not close to
the needs assessment for
i-35 improvements.

It is simply a somebody that
staff will back into,
whatever the citizens
approve.

So I am proposing a
15-million-dollar bond
package for i-35
improvements, therefore
7 million in
additional capacity, which
681 in my
estimation.

I'm not calculating in front
of me.

681 i

propose the following in
terms of additions to the
481 to
austin studios for their
expansion.

5 Million to mexicarte
museum.

One million to the violet
crown trail.

Two million to the barton
springs bathhouse.

700,000 To the neighborhood
partnering program.

5 Million to the east
51st street vision plan.

85 Million to the homeless
women and children's
shelter.

And \$150,000 to the a.d.a.
Accessible fishing pier,

which should total 20.681.

In addition to that, mayor,
based on the city manager's
memo and additional areas of
funding and shifting, if you
will, within his proposal, i
would recommend that the
5 million identified in
the city manager's first two
bullet points, reallocation
of two million included in
the bicycle urban trails and
grant match program, and
then inclusion of
5 million from city bike
rails and urban corridor
5 million be
allocated as an additional
million to the violet crown
trail as identified in his
memo, and then the remaining
5 to a city facility bond

project for acquisition and
design of a fair -- fire
station on 360.

And lastly, mayor, we were
working with city legal this
morning on this item --

>> Mayor Leffingwell:

Excuse me, that's land
acquisition and design of
the fire station?

>> Correct, at 4.5 million.

And I'm going to fumble
through this amendment
because we're working with
staff and I'm hoping that
city legal can help with
this.

In proposition 14, which is
our open space and watershed
protection, we are looking
to add language that speaks

to farmlands as a part of
this package as well.

So that if there are some
black lands in the eastern
portion of travis county
that we could consider as
purchasing for protection
and open space that this
bond proposal be allowed to
do that.

So the amendment in the
language would simply add
two words, farm lands.

Right after in the fourth
line natural areas, comma,
farm lands, and the region's
water quality.

And I have these in writing
and I'm more than happy to
provide to the city clerk.

And that is my amended
motion.

Mary mayor okay.

Are there --

>> Mayor Leffingwell:

Okay.

Are there any legal issues
with regard to adding
farm land?

That you can talk about
here?

[Laughter].

Councilmember martinez, are
you going to farm this land
yourself?

[Laughter].

>> Martinez: I think you
will have something to do
after 2014.

I might invite you to help
me.

>> Mayor Leffingwell: I

won't be farming.

>> And jerry kyle -- I think

the issue has come to us

very late and I don't know

kyle has had an

opportunity to confer with

the attorney general's

office about whether or not

they would have a concern.

Counties do have this type

of language in some of their

bond propositions, but they

also have specific

authorities relating to

farmland.

And so I don't know that we

can give you a firm legal

answer today on that

addition, whether or not the

attorney general's office

would approve that use.

>> Martinez: And my motion, mayor, is on first reading and I stand fully prepared to remove that if there is a legal impediment on second and third reading.

>> Mayor Leffingwell: So will you have the opportunity to have that discussion before third reading of this?

>> We can certainly reach out to the ag to visit.

I'm not sure that we'll have a conclusion back from them, though.

It's a question of first impression in my view, my experience, and I suspect it

will be for them as well.

>> Mayor Leffingwell:

Okay.

Councilmember riley.

>> Riley: I have a

question about two public

safety items that have been

the subject of some

discussion in councilmember

martinez's proposal and in

the manager's most recent

proposal.

And they both were late to

the -- both relate to the

proposed facilities in the

northwest area.

There was originally an item

in the package to do the

northwest police substation

in the amount of 15 million,

and we're now proposing to
scale that back to five
million.

Councilmember martinez is
also suggesting that we
include roughly five million
for land acquisition and
design of a fire station in
the northwest.

And in discussions with
folks about these two items,
one question has come up and
I wanted to go ahead
guidance from staff.

The question is if we're
going to be working on land
acquisition and design for
both a fire station and
police station in the
northwest area, then to
what -- should we be looking
at the possibility of

combining those facilities?

And would these items allow
for that?

And if so, would there be
any impact on the cost
necessary for acquisition
and design of the
facilities?

>>

>> councilmember, we have

folks here from the fire

who

can speak, but I think based

on the projects proposed, i

think the answer is we would

have to evaluate that and

determine what kind of

potential opportunities

there could be to combine

those joint uses and do any

cost estimate for what that
is.

But for right now I think
we're prepared to stick with
the information that we've
provided because we would
need additional analysis on
that.

>> Martinez: Mayor?

>> Mayor Leffingwell:
Councilmember martinez.

>> Martinez: I think I can
provide a little bit more
information because we did
consider that.

That is something we should
consider when we evaluate
facilities.

My understanding based on
conversations with staff is
that the northwest

substation really is to
serve farther northwest
along the 183 north of 360
corridor because we're using
the parmer lane facility now
that is heavily overcrowded.
And our growth areas are
going to be along 183 --
between 183 and parmer lane.
The 360 fire station is
sorely needed in annex areas
currently south of the river
on 360 and more western and
southwestern such as lost
creek.

So really it would prove to
be problematic to try to
consolidate those facilities
with the areas that we're
trying to service with those
two different services.

>> Councilmember riley?

>> Riley: So the bottom line is to the extent we want to move forward on both facilities, we really do need still roughly five million for each facility.

Is that a fair assessment?

>> Mayor Leffingwell: So a quick question.

I thought I heard one plus one on the violet crown trail.

I wanted to make sure i heard a total.

Councilmember tovo?

>> Tovo: I have a few questions.

I'll ask one of staff first.

Can you tell me how far this

proposed fire station would
be from its closest other
fire station?

The material I got suggested
it was within a couple of
miles, but there was some
question about whether the
scale was correct.

I haven't heard back about
that issue.

So if you could give me a
sense of what the -- what
the proximity is between
this fire station, proposed
fire station area and any
others?

>> Mayor, council, matt
arta, assistant chief of the
fire department.

The desired location for the proposed 360 location would be south of the pennybacker bridge.

From that point the closest station is probably going to be fire station 31, which is off of 2222 and 360 next door to the county line barbecue place.

And then after that would be the station about a mile away from barton creek square mall.

>> Tovo: What's the mileage if you've got it or maybe you can cycle back around with us and give us the mileage on those.

>> That would probably be better.

>> Tovo: Thanks.

The map that I've seen from
nix suggests that it was
close, but there was some
question about whether the
scale was off.

This is a question really
for mr. trimble.

Is this an item that our
bond taskforce considered
and if so, what was their --
they didn't recommend
inclusion, but did they have
a rationale for including
it?

>> It did and it came down
to funding constraints and
priorities and so when we
got down to what are some of
the higher priority
services, call for service,

turnaround times, being
properly allocated, I think
just what they got to.

>> Tovo: Thanks.

And for my colleague, I have
some specific questions.

I want to be sure that i
understand the proposal that
you've presented here.

And I want to just also
preface it by saying that we
are -- I think there's a lot
of agreement between some of
the items you've brought
forward and some of those
that councilmember morrison
and I have brought forward.

There is one fundamental
difference I want to get to,
but first I want to better
understand some of these

line items.

So in terms of -- you've
handed us out a document and
I think you've made a few
edits to it in your comments
and I want to be sure i
captured them.

So on here on the sheet
you've distributed you've
proposed reducing palm park
and waterloo park and i
think I understood you said
you would like to leave them
unchanged.

>> Correct.

>> So not reduce those
amounts from the 1.5.

>> Correct.

>> Tovo: Okay.

When we get down to

additions, violet crown, you
would propose adding one
million, not the two that's
on here, is that right?

>> I have proposed two
million, one from the
savings of the above
reductions and one from the
city manager's identified
areas in his memo to us
yesterday for a total of two
million.

>>

>> Tovo: And it was more
allotted to the accessible
fishing pier.

>> Correct.

>> Tovo: And then the
other items, once we move

beyond the sheet, I lost you
there for a minute, but i
think I believe the
5 million that you're
proposing for land
acquisition come out of the
already identified proposal
funds for land acquisition
and open space.

Is that correct?

>> Incorrect.

It comes from the remaining
identified bond capacity in
the city manager's memo
issued to us yesterday in
the first two bullet points.

Tow and violet crown and
east 51st and identifying
that they would be part of

the larger body of funds
rather than called out
separately.

Okay.

All right.

Thanks.

The one thing I would --

>> Cole: Go ahead.

You still have the floor.

>> Tovo: That's okay.

Mayor pro tem, if you want
to get to it, but I would
like to talk --

>> Mayor Leffingwell:

Councilmember tovo has the
floor.

>> Tovo: All right.

In that case, so the one
thing I do want to talk a
little bit about, because
councilmember morrison
brought this up the other
day and I think it's a

really fundamental point.

And that is which

recommendations we begin
with.

And I would like to propose
that we begin with the
taskforce recommendations.

And there are at this point

I think by the time we
finish talking about them
there aren't going to be a
huge number of
discrepancies, but there are
some.

And that was one value that
we brought to putting
together our proposal to
begin with the work of our
taskforce because they have
spent months upon months
meeting with stakeholders,
talking with staff,
reviewing the information,

and I really believe that we should prioritize the work and the recommendations they've done because they've put a tremendous amount of thought into it and a tremendous amount of time balancing the pressing concerns of our city with the feedback they heard from the community.

So councilmember martinez, i agree with a lot of these and you'll see them on our list too, but I would suggest that we begin with the taskforce recommendations.

And I think mayor pro tem has already said they wants to make a substitute motion,

but --

>> Cole: Mayor?

>> Tovo: But I would like
to contemplate doing the
same here in a minute.

>> Cole: I would make a
motion that we do begin with
councilmember tovo's
suggestion, which would be
the taskforce's
recommendations, but several
of us have went public with
what we wanted to do on the
bond, especially during the
last session.

And then publicly in the
media.

And we do have some
proposals that are being
passed out.

I have a proposal that
impassing out or have passed

out if you don't have one
that actually has what i
believe is everybody's
recommendation on it,
including the taskforce and
including the staff, and
including what each of us
have said publicly that we
want to do.

So I'm hoping to actually
lay out the proposals in --
hopefully it will be a more
efficient manner and
actually start with the
items that have received the
most support from the
council and let us vote on
them that way and vote on
those and have the
reductions that receive most
of the support.

For example, councilmember

martinez has already laid
out a motion and a second
that we reduce the northwest
substation.

And I believe that there are
several councilmembers,
including myself that
support that.

So I would like to make a
motion that we begin with
the taskforce
recommendations and we go
through and --

>> Mayor Leffingwell: Is
that a 400-million-dollar --

>> Cole: Yes, it is the
\$400 million, but of course
we can make the subsidy
reductions to that as we
want.

And I guess the first motion
I would like to make is we
begin with the taskforce
recommendation and that we
start looking at the bond
package worksheets that i
have passed around and i
would ask councilmember
morrison, because she has
not laid out her proposal on
tv, morrison and tovo, the
proposal that she has --
will publicly make and that
we go through it in
alphabetical order based on
that.

>> Mayor Leffingwell: So
you're making a substitute
motion that we approve the
taskforce recommendation.

>> Cole: Not that we
approve, but begin with the

taskforce recommendations.

>> Mayor Leffingwell:

Well, I think it's kind of
the same thing.

You're going to make a
substitute motion and if it
pass -- well, let's see.

You've got to make the
amendments as you go along.

So you will lay out the
substitute motion for the
taskforce recommendation and
begin the process of
amending it before we vote
on it.

Is that correct?

>> Cole: Yes, but there
will have to be a vote, a

second and approval -- you
know that.

>> Mayor Leffingwell:

You're going to attempt to
amend by vote the substitute
motion before we vote on the
substitute motion.

>> Cole: Yes.

But -- point of order,
mayor.

>> Mayor Leffingwell:

Councilmember martinez
raises a point of order.

>> Martinez: I think if a
substitute motion is made
the body needs to take
action on the substitute
motion.

I have a motion that's been
made and I'm open to

amendments to that motion.

>> Mayor Leffingwell: So
for parliamentary reasons i
would like for the city
attorney to weigh in and the
question would be with the
main motion on the table
with a second, can a
substitute motion be laid on
the table and then be
amended by vote and then be
voted on before the main
motion?

That's the question.

>> Mayor, I believe under
robert's rules of order when
you have a main motion you
can always have a substitute
motion which then could be
amended and then voted on
before you -- to determine
whether or not you then go

back to the main motion.

So you have a main motion,
you could have a substitute.

That substitute could be
amended and then you would
vote up or down.

If it passed, that would be
what passed.

If it failed then you would
go back to the main motion.

>> Mayor Leffingwell: We
go back to -- of course with
the -- while the main motion
and substitute motion are
both on the table,
discussion on either or both
is in order.

>> Yes.

>> Mayor Leffingwell:

Okay.

So you're laying the motion
on the table for a
400-million-dollar taskforce
recommendation.

Is there a second for that
motion?

>> Morrison: Mayor,
I'll -- I'll second it with
the suggestion that we amend
it right off that we have a
goal of getting the total to
385.

>> Mayor Leffingwell: All
right.

Seconded by councilmember
morrison and councilmember
morrison offers a friendly
amendment that you accept
the cole that it will be

amended further.

>> Cole: And with a goal
of 385.

>> Mayor Leffingwell:

That's the best way I can
think of to say it.

You accept that.

Okay.

So now we have a substitute
motion on the table for the
taskforce recommendation.

>> Cole: Mayor?

>> Mayor Leffingwell:

Mayor pro tem.

>> Cole: I would like to
include in my motion
approval of the 51st
street plan improvements.

I believe that that has
received considerable
support from council and

also the women's and
children's shelter --

>> Mayor Leffingwell: Hold
on.

Are you going to give us an
amend for that?

>> Cole: Oh.

The amount is to increase by
one million to two million.

>> Mayor Leffingwell: Two
million?

Is one million in the
taskforce recommendation?

>> Morrison: Yes, it is.

>> Mayor Leffingwell:
Okay.

>> Cole: And mayor, i
believe -- I don't know if
you have a comment on that

because that was an item

that --

>> Mayor Leffingwell: Not
at this time.

>> Cole: Okay.

I also want to include in
the motion the women and
children's housing expansion
to two million.

>> Mayor Leffingwell: From
what to two million.

>> Cole: Two million.

It wasn't included.

>> Mayor Leffingwell: So
you're adding two million
for women and children's.

>> Cole: And also before i

include this item, I have a
question about the barton
springs pool master plan.

I believe, mayor, is this
the item that you are
supporting or is that the
batshouse?

-- Bathhouse?

>> At the last meeting i
supported the bathhouse
matching funds?

>> Tovo: Mayor, can I --

>> Mayor Leffingwell:
Well, you yield to
councilmember tovo?

>> Cole: Absolutely.

>> Tovo: Testify if you

saw our list the master plan
was the bathhouse.

It includes the bathhouse in
the master plan, but it
would allow for that.

But we were trying to pick
up the mayor's interest in
that.

>> Cole: If that is the
case I am including the
barton springs pool master
plan and bathhouse with an
additional -- it's zero
right now.

With an additional one
million.

>> Mayor Leffingwell: To
one million total.

>> Cole: One million

total.

Okay.

I'm going to move to the proposed reductions that I believe have been supported by the majority of the councilmembers in public.

First, councilmember Martinez, the Northwest Substation, to reduce by five million and \$48,000 that item with the understanding that some preliminary work will be done by staff on that.

>> So are you talking about station that's in the original recommendation?

>> Yes.

>> And you're going to
reduce that from what to
what?

>> It is currently the
taskforce is 11,000,000.77.

The city manager's
recommendation was
16,125,000.

It is actually councilmember
martinez's suggestion that
that go to 11 million and
77,000, which is the
reduction of five million
and 48,000.

>> Mayor Leffingwell: I
don't think that's correct.
Councilmember martinez's
modification was in accord
with the city manager's

latest modification, which i
believe was a reduction of
9.9 million.

>> Also be aware if you're
starting with the taskforce
400, the northwest
substation was funded at
7 million, not as
(indiscernible) in the city
manager's 385.

>> Mayor Leffingwell: So
we are starting with the
taskforce recommendation.

So you should start with the
modifications.

So just to make sure
everybody understands what
you're doing.

What the taskforce
modification was and what

your change to it is, what
your change to the taskforce
recommendation is.

>> The taskforce
recommendation for the
northwest substation was
\$12,733,000.

I am requesting that we
reduce it by \$6,900,000 to
\$5,833,000 to provide for
land acquisition and design.

>> Mayor Leffingwell: So
ended up with the same
amount of dollars as a the
city manager's and
councilmember martinez's
recommendation.

Okay.

The next proposed reduction
is to the park patrol

facility, reduce by

\$1,700,000 to 3 million.

And it is in accordance with

I believe the direction from

councilmember morrison and

with a direction to explore

a possibility for a mounted

patrol facility.

And then I'll move to the

emmitt shelton bridge on red

bud isle -- red bud trail,

which the staff

recommendation was five

million, according to

lazarus, to reduce two

million to three million

with the understanding as

was discussed that the

preliminary design work will

begin and we will look for

other funding options and

consider other -- for

another bond package.

Hopefully we will not the
way that long.

But to do the design work.

Now I am going to move to
some items that definitely
may need some further
discussion.

Austin studios, I am making
a recommends of five million
dollars, in accordance with
the city manager's plan.

It is about \$500,000 less
than what I originally
proposed.

>> Mayor Leffingwell:

Councilmember morrison.

>> Cole: Let me walk
through it again.

The taskforce recommends was

three million dollars --
taskforce recommendation was
three million dollars.

The city manager's plan is
five million dollars.

>> Morrison: The current?

>> Cole: The current city
manager's plan is five
million dollars.

And I have expressed public
support for the five
million, basically \$487,000,
that they made in open
session.

>> Mayor Leffingwell: How
much did the taskforce have
in there, three?

So you're raising it to
five.

And councilmember martinez's
motion has it at 5.481.

>> Cole: Exactly.

Okay.

And we did barton springs.

The next item for potential reduction is -- I hope that councilmember morrison may have some comments about is this street reconstruction project.

>> Morrison: Thank you.

This is an idea that frank fernandez put out to us at our last meeting on the bonds.

And his suggestion was in terms of looking for opening up some funding that we look at some of the programs that are going to be sort of an ongoing program and in transportation, such as

street reconstruction, and
think about funding a few
years of it now and then
including subsequent amounts
for the remainder of the six
years in what we presume
will be another
transportation bond we put
to the voters hopefully to
be asking them for approval
for rail.

And the idea is that we
think now about rounding
that out a little bit so
that we can get sort after
broader interest in people
coming to the polls.

So this would be an
opportunity -- we know we
need ongoing funds.

This would be an opportunity
to basically just defer

asking the voters for some
of the funds.

It's currently 40 million
across the board, I believe,
and all the recommendations,
so this would take it down
to 30 million.

And then -- and we do that
with the intent that we
cover 10 million or if we
see the need as more in a
couple of years in a
subsequent bond.

>> Cole: I have a question
for --

>> Mayor Leffingwell: I
have just a comment on that.
I'm not going to support
that proposal for a couple
of reasons.

Number one, street renewal,
we were in a bad mess a few
years ago and we
aggressively adopted a
program to better maintain
our streets.

I don't want to reverse that
by underfunding it, number
one.

And number 2, if and when
there is a rail election on
the ballot, I think it's
best that that be a stand
alone item.

Just so we don't get accused
of funneling too many
unrelated things together.

And we know that with regard
to including some funds for

rail and the current
transportation bonds that
was judged to be not
appropriate.

So I don't think it would be
in a subsequent bond package
either.

Councilmember morrison.

>> Morrison: I appreciate
your points on that.

One is I carefully chose my
words.

I wasn't intending to
suggest that it would have
to be in the same
proposition, but in fact we
could be looking at
another -- a different
proposition for additional
transportation items, and
that's why I said it could
help bring interest in

bringing people to the
polls.

So I think that we would
certainly have that
possibility.

And then the second is that
the intent here and the
supposition is that we're
not going to reverse our
progress by any means.

We're going to be continuing
to do the work that we're
doing and in fact we're
ahead of schedule.

We do have an aggressive
schedule and we're five
years ahead of schedule, so
I thought that in terms of
the amazing demands that we
have across the board that

this as suggested by frank
fernandez, was a possibility
in terms of opening up some
funding.

goode looking at
me with furrowed brow.

>> I was going to say
jaundiced eye.

[Laughter].

>> Just a couple of points.

As long as there's funding
in the future, and that's
always an if, we do have a
capacity to spend projects,
but I will make my comment.

The goal we set was still
only 80%, which means 20% of
our roadways are in poor or

failing condition.

We set the bar fairly low is
what my point is.

So we are being aggressive
and we are on track,
actually ahead of the goal.

We've been in different
jurisdictions where the goal
was 10%, so again we set the
bar fairly low.

Anything you're talking
about today we can use as
much funds as we can for
your construction because we
have an aging infrastructure
and it's important to keep
up.

>> Morrison: And I think
did -- did we approve any
money for street
reconstruction in 2010?

>> Yes, we did.

>> Morrison: Okay.

So we had our funding in 2006, so the 2010 i imagine -- in 2006 we did not have in mind to do the 2010, so the 2010 money actually proposal came a little bit early relative to what we had planned in 2006.

>> I think it was an assessment on what the need was at that time.

And I know there were some specific items that may be out of the assessment that was done to get to whatever the recommendation was for 2010.

>> Morrison: Right.

Okay.

So for me it just a very --
considering the varied
demands we have, it's a way
that we can I think safely
open up some funding.

>> Cole: Mayor?

>> Mayor Leffingwell:

Mayor pro tem, do you want
to go ahead and finish
laying your motion out?

>> Cole: I don't believe
we laid out any particular
funds for the street
reconstruction program.

I do believe that it's an
important program and

recognize that we made the
commitment of 80% and we're
trying to maintain that.

So in my motion I do not
think at this time I'm going
to include that item because
I think it should be reduced
and I want us to get through
the items that we agree on.

So I'm not going to include
the street reconstruction at
this time.

The next item is an addition
for the dougherty arts
center to add two million
dollars to a total of four
million dollars.

And the staff assessment was
four million.

The taskforce recommendation
was two million.

The city manager's proposal
was two million.

And I believe what I asked
for before was two million
and I had some support for
that.

An additional two million.

>> Mayor Leffingwell: So
you want to go from two
million to four million.

>> Cole: Four million.

>> Mayor Leffingwell:
Okay.

>> Cole: Okay, mayor.

I think that is the
conclusion of my motion.

>> Mayor Leffingwell: When
you get to the bottom line,
I assume you've done the
math on this, what is the

total?

>> Cole: Oooh.

Well, you know, I think that

I will have to go and make

that for you because I took

some items from a few other

people and I will -- give me

a second here to do that.

Because you want to know the

bottom line that's left.

I know it's under --

>> mayor, can I also add

that what the council is

doing right now is

reallocating dollars to

specific projects.

The actual additional action

that you will have to take

on the ordinance will be

you're going to have to say

specifically the dollar

amount for each proposal,

each proposition.

>> Cole: Total dollar
amount.

>> So there will be two
dollar amounts that you need
to be thinking about.

I just wanted to add that.

>> Cole: The first dollar
amount is that?

>> I'm not sure.

But what I'm saying is
you're doing now the dollar
amounts for each different
item that will go into the
different propositions.

>> Mayor Leffingwell: And
councilmember martinez's
motion did the same thing.
So he will have to go back
and --

>> correct, but you will have to then go back and take an action to specifically itemize a dollar amount for each proposition.

I just wanted to add that to your discussion.

>> Mayor Leffingwell: So does that have to be the motion as passed has to be modifications to the actual propositions or today we can pass a motion that just includes these changes and to be rearranged later in subsequent passing of it?

>> Yes, sir.

My understanding was that

everything was going to be
on first reading today.

And I think it may require
some staff looking at the
numbers to make sure they
all match.

>> Mayor Leffingwell: It
may require some looking,
yes.

>> So I wanted to remind
council that you're going to
be dealing with two specific
dollar amounts, rearranging
among the specific projects
and then a final dollar
amount for each proposition.

>> Mayor Leffingwell:
Okay, but for our purposes
right now, assuming that all
of these proposed changes to
the substitute motion are
accepted by the second --

>> Morrison: With the understanding we have more work to do to get to 385.

>> Mayor Leffingwell: But right now your official number is 400, 400 million.

>> Morrison: Our official number is 400 with the amends which I believe -- with the amendments which I believe takes it down to 398.4.

>> Mayor Leffingwell: All right.

So we have --

>> Cole: Because we have not made adjustments to certain other items like

affordability -- homeless --

I mean, affordable housing.

>> Morrison: Yes.

With the understanding

there's more work to do and

it wouldn't be the final.

>> A couple of things I'll

point out.

One is our staff is here

working on the numbers and

so we should hopefully be

able to get to a number

pretty quickly.

We're here to keep track of

all the discussion.

So we're working furiously

on that.

The other one I did want to

mention that going back to

the 400-million-dollar
recommendation and what
we're using to assume is
that we're calculating all
this is that we're going
back to things like the
affordable housing number of
76.8 versus the 63.5.

That's in the city manager's
385 million recommendation.
And I already mentioned the
northwest substation going
back to their reduction from
that project and then also
the same for Harold Court.

So we're assuming that we're
starting there and then
everything that's been
discussed has been kind of
modifications to that.

>> Mayor Leffingwell: That
is correct.

>> Cole: What number are
we at, 390?
6 in
reductions.

And then -- again, starting
from the 400.

20.6 In reductions.

7.48 In adds.

And so that's a net of a
reduction of 13.1.

So we're looking at we need
8 million in
reductions to get to the
385.

>> Morrison: All right.
Can you list off the
reductions again?

>> Tovo: If I could ask
for one clarification for

councilmember cole regarding
the film society.

What is the total number
that you're looking for?

>> Five million.

>> Mayor Leffingwell: So
councilmember tovo, you a
have comment while they're
adding over there and
subtracting?

>>

>> Tovo: I do.

I'll say by my
calculations -- I won't try
to do that, but we're still
pretty close to this.
We didn't have an
opportunity to lay it out

but I'll make a few comments
about it because I'm about
to make a few suggested
amendments to the motion on
the table.

[One moment, please, for
change in captioners]

>> one is the one that you've
just included, the dougherty
arts center, boosting that, so
we can really move forward in
getting something done, but
2 million to housing
affordability and I am sorry
mchorse laughed and I was
glad to see him here and wanted
him to come up and speak and
echo and many of the groups
represented by those of you in
this room can speak very
powerfully, I think, to the
enormous need for affordable

housing in our community and i think we need to get that number up to 80 and I think we can do it if we look carefully at some of the other proposed reductions in here.

One that I think jives with council member martinez's proposed reduction is ih-35 improvement, so I would like to propose a substitute amendment -- or just an amendment, sorry, so reduce that figure by 6 million, it takes us to 15 million and if you look at council member martinez proposal that he has laid out, all of the recommendations get us to -- well, anyway, he has proposed reducing from the city manager's 7 million down to 15 million, which would

7, the task force recommended 21 million so it gives us a 6 million-dollar reduction from the task force so I would like to propose we bring ih-35 improvements down to \$15 million, which will net a \$6 million in the task force proposal.

>> Cole: I do not consider that a friendly amendment, and I did not lay ih-35 on the table because I thought that would generate significant discussion and it merits that and also testimony from staff, so it's not that I am not -- I have not decided what I would support, but I know that I would not support the numbers that have currently been laid on the table, and that's the reason,

but we can of course vote on the amendment.

>> Tovo: Sure.

And that was, again, something that frank fernandez mentioned as a possible reduction and, again, it is not a -- are you making a motion for an amendment?

>> Tovo: Yes, I am.

is there a second for that? Motion dies for lack of a second.

>> Tovo: Okay.

>> Mayor leffingwell: move on.

>> Tovo: And I have another one,
and that is the addition of the
ada accessible fishing pier in
the amount of \$150,000, and i
will go ahead and make that as a
formal motion and say I think it
is another critical need.

It's not a lot of money.

that is
in council member martinez
motion, also.

>> Tovo: And that's right and it
adds important values in our
community.

and
council member tovo to add in
\$150,000 for the ada accessible
fishing pier.

Is there a second for that.

>> Morrison: Yes.

second by

council member morrison.

>> Cole: I will accept that,

mayor.

it's

already a motion, all right.

>> Cole: I didn't get it --

all those

"

aye.

Opposed.

Say no, 6-0, with council member

spelman off the dyas.

So it is part of your motion

now, whether you like it or not.

>> Cole: I forget to say

friendly.

Okay.

>> Tovo: So a couple of more.

I would like to make the

friendly amendment that we,

though, I am going to need some

help on reduction since we

rejected the couple on here that

would net us the savings

possible to do this but I would

like to make the friendly

amendment that we had in a

million dollars for third south

district maintenance facility.

Currently there is \$1 million in

the task force recommendation,

city manager, you might have to

remind me where you came in on

this.

I don't have that document, but

in any case, in the memo we just

received from the city manager,

there was a suggestion that really to get this project down, we need 2 millionish, and i think it is a critical need and I see director hensley here that can probably speak to it but i propose we add that in as a friendly amendment, \$1 million taking it to.

that is
an additional million.

>> Tovo: That's right.

Now it is in for 0 in the task force and I suggest we had in a million dollars for the respect of due scoping the project, so it is equipment shelter, so we are protecting our investment in the shelter.

>> Cole: I do consider that friendly.

friendly

amendment is adopted as part of
the motion in noting that has no
offset so that's added to the
total.

>> Tovo: Well, I will put one
offset in.

I will suggest one offset.

I would like to propose as a
friendly amendment, reluctantly
eliminating oster to minor trail
two \$1 million for the
suggestion it be included in
future transportation bond or
another possibility would be to
identify funds within our other
pockets that are included in
this bond proposal for this
trail.

>> Cole: I will accept that as
friendly, also.

>> Mayor leffingwell: okay.

Part of the motion -- substitute motion.

>> Tovo: One last addition, but an important one, I would -- i propose we add and I would like to suggest this as a friendly amendment, that we add 2 millions to the task force recommendation for housing affordability funds in the affordable housing category. That would bring total to 80. As you know the task force looked at this issue again and again and recommended higher levels of funding.

We've got huge, huge needs in our community and I think it's critical that we have enough funding in that budget to be

able to do permanent supportive housing, to really make a strong effort in that to do the kind of emergency work and emergency shelter that we -- I had the privilege of going with you, mayor pro tem cole, to florida to see in action at the chapman partnership to be able to really fund at a higher level our home repair program which is so critical to the seniors in our community.

I think at a minimum we need \$80 million in that program and I wish it were 100.

the
2 million for
affordable housing.

Is that acceptable as a friendly

amendment?

>> Cole: It is acceptable, with the understanding that ed mccord testified that they needed at a 7 million now and an additional, I don't remember, into the future to complete our goals in the csh study, so i want us to set that as a goal as we add money to this pot.

>> Tovo: I understand and i appreciate your -- is it accepted and second?

>> Cole: Yes.

>> Tovo: And appreciate you accepting that and I think this brings us pretty close to our proposal.

By my calculation, I think we need to find -- we need to find

\$18 million and there are some ideas for that in council member martinez's proposal.

I mean that's my on the spot calculation but these numbers worked out.

could i

ask the staff what is your

number -- what is this --

number our total

number is 399,750,000, with a difference of 14,750,000 to get to a 385 package.

>> Tovo: Great.

Thank you.

That's pretty close for a liberal arts major, by my calculations.

And I would say council member martinez in your proposal you suggested deductions, one is the harold court facility.

I know we heard testimony last week about employees who are, you know, really in substandard working conditions but I also lasurus say there is a potential of offsetting the cost of some of that work through the transportation funds.

Anyway, I am going to yield the floor, but, say, boy it would be great if one of my colleagues could suggest a reduction.

>> Mayor leffingwell: okay.

75 million
substitute motion on the table,
which is.

We will vote on the substitute motion first.

Council member riley.

>> Riley: I want to ask about

one item, that is the dougherty
arts center.

The task force recommended
2 million, the city manager has
agreed with the 2 million-dollar
figure.

The number we got yesterday, the
reasoning on that, which is that
the project -- obviously you
aren't going to be able to
rebuild a facility for 2 million
or even 4 million, for that
matter.

The idea is this would be
architectural services and we
would find a way to work with a
partnering, entitying agency to
work with that but that is still
in development.

Any potential site still needs
to be identified, so the

2 million-dollar recommendation
was -- was based on the idea of
just keeping the project moving
forward and continuing to
identify potential partners and
funding strategies, so with that
in mind, I just wanted to ask
why we would be boosting that up
to -- to 4 million in the
absence of a clear partnering
strategy or a side on that?
What would be getting for
that --

>> Cole: I think --

>> Riley: May I finish?

What would we be getting for
additional 2 million that we
wouldn't left for the \$2 million
that the manager and the task
force have recommended?

>> Cole: Well, I believe that --
sarah hensley is coming up and i
believe they are working very,
very hard and having some
success with partners and the
dougherty arts center actually
has a board and others that are
working, because they know it's
a priority item for us.

..

>> Sarah hensley, director of
parks and recreation.
I think to answer your question,
council member riley, I think
what was in there certainly will
work for us to try to look at a
partnership.

Any additional dollars will help
us as far as however far we are
able to expand with a

partnership.

We have to bring dollars to the table.

You are absolutely correct in that we haven't currently identified a set partnership but mayor pro tem is also correct in the fact that we are very close in identifying a partner, hopefully and even possibly a site, but with that means if any site we bring means major renovations to the tune of possibly structural internal changes, whether it is utility like that so whether it is 2 million or 4 million, we need every bit of that to bring it together for a partnership in an existing facility.

>> So with that, I have just -- have some appointments set and

more talking to -- the problem that we have at dougherty is just gray and I think we are getting on the verge of beginning to work some things out with private partners and other governmental entities and things like that so I think we need extra funding at this time to be able to settle that.

>> Martinez: Mayor.

council

member martinez.

>> Martinez: I was going to state that I won't be able to support the substitute motion.

It, obviously without further -- without further \$19 million worth of reductions, it does cause a tax increase, which the motion maker committed to

actually not making next week
when discussion, but more
importantly than that, while it
is, as all of our attempts, it
is a valiant attempt at
addressing many concerns and
projects that have been brought
to us.

It leaves most of them short.

It leaves 51st street vision
plan short.

It leaves the women's shelter
short on their request.

It leaves the bathhouse short.

It leaves the austin studios
short by almost a half million
dollars.

And then I believe there was --
mexiscart is left out and i
believe a parks facility is out
and left short but for that
reason and others and more

specifically we are still at about \$400 million in this proposal, I can't support it, but if we get back to the main motion, obviously I am more than happy to entertain amendments to that main motion that could create further capacity, such as the shelton bridge and other things that have been identified and be allocated elsewhere.

and

likewise, I am not going to support the substitute motion because I think it starts off off in the wrong place and that esa at \$400 million and I think the priorities that I have talked about are included in the main motion, which I will support, and are not included in the substitute motion.

>> Tovo: Mayor.

so with

that -- council member tovo.

>> Tovo: It's critical to me to try to get down to 385 and if we are going to try to do this here today, I would just say, you know, it was a goal of the motion makers, too, so I think we've got a day or two to keep thinking about it but in the interest of trying to get down to 385, I am going to suggest another amendment, and that is, to remove harold court from -- from the bond proposal, and that would be a reduction of \$11 million. I think that gets us down to 388.

I agree that it's a necessary project and I would hope that it can be offset, that they can continue to make progress on that through the transportation fund as we discussed last week.

I would rather do a less harsh reduction but this is the best I can do here on the spot.

That gets us to 388, and I would add -- so I will make that suggestion as a friendly amendment and then I have got another for consideration.

>> Cole: I will definitely accept that because it is definitely my goal for us to get to the 385 where it's as close as possible and I guess we need a second on that amendment.

>> Morrison: I accept that.

if you
accept it as friendly, and
council member morrison accepts
it as friendly, then it's part
of the motion.

>> Cole: Okay.

city
manager.

>> Ott: Thank you, mayor, i
guess I do want to speak to
harold court.

You heard howard the other day,
that facility is in pretty
severe conditions.

I know that from working with
howard and the staff and I know
from working out of that
facility with the crews in the
street.

It is in deplorable condition.

Howard did make some comments

the last time about some options
but nothing that will come close
to providing anything close to
an adequate remedy, so I -- with
your permission, mayor, I would
like howard to come back up here
and talk about that once again
in terms of the need and to
provide some additional
explanation as to what you meant
about -- about having some
options.

I would simply be remiss on
behalf of the employees if i
didn't address this issue.

>> If I can go back a little bit
in recent history.

We started out with a facility
request when we went to the bond
election advisory task force of
about \$22 million to address our
facilities.

Through discussions and creativity, we were able to get that down to about \$16 million.

In discussions after that, the -- we looked at what we could reasonably carry as a payment over 20 years through transportation fund and not have a terribly significant impact on our street maintenance program and that's where that last \$4 million came from.

The unfortunate part and to be really blunt about this is we were put in a position of either taking a cut from that project or not being in the program at all, so getting down to the 11 million plus that's in there now is really the bottom line,

that the fund can afford.

In support of what the city manager said, I do have some photographs here of what the site looks like, and the service center is home to the majority of our field operations, as we said last week.

And I won't go through -- repeat what I said last week but it does address both public works and transportation.

It's totally inadequate facility.

It has none of the employees' support needs that other facilities have in other departments, and I will show you some of the photos because these facilities are not economically

repairable.

This is our overlay section
facility.

What that amounts to is a shack
built on top of an asphalt
pavement.

There is no adequate means for
us us to charter message boards.

There are no locker facilities
and it is not heat or cooled
properly and inadequate
you see the crews in
the bottom left hand corner
pulled together for themselves.

The utility structure are a
bunch of old trailers that were
salvages an not repairable any
longer and even though the crews
have done things to try to
improve those.

As you see on the picture on the left, we don't have a place to store the materials.

I mentioned that portland cement is subject to being ruined if left out in the weather.

Sand is subject to variations in moisture content which impacts concrete mix design.

Storage, just to reemphasize, you can see we have really inadequate places to store materials and equipment and do make ready, so what we came down with was a cost just for harold court replacement, \$16 million and you can see what sections it houses.

The \$5 million, that got taken

off of that, essentially amounts to over 20 years to a tradeoff between some lane miles we could do versus funding in the new facility.

But if we don't provide the new facility over the long-term, our ability to provide maintenance activities on our right-of-way is going to be severely diminished.

I also add that as we look at council direction, some ways as to whether it's more economical to keep some services in house versus contracting.

We don't really have anyplace to put anymore staff.

So that's something to consider as well, as we look at the economic tradeoffs.

So in support of what the manager said, that \$11 million that's in there is the lowest amount of money that we can have and that project remains feasible and it will have some impact on -- on funding as we look at it in the future in the transportation fund, but just to, again, reemphasize, we cannot absorb 11, 12 million-dollar hit to the fund for this project.

It will have an unacceptable impact on our ability to deliver preventative maintenance services throughout the city, as will not providing the facility have an unacceptable impact on our ability to provide maintenance services throughout the city.
so that

is a pretty significant fact
there, that without this
\$11 million for this facility,
other parts of the
transportation bond package and
other facility projects will be
significantly affected?

>> Mayor, what this will do, is
funding for maintenance comes
out of the transportation fund,
so with out this facility,
that's what will be impacted.

With the capital work we talked
about, the bond is done
primarily through contract,
except for sidewalk work which
we do a lot of it in house.

The difference in the funding is
just that the transportation
dollars that come out of the

fund necessarily to support the project will take away from the maintenance.

i understand.

But it significantly impairs your ability to do the necessary work, wherever those source of funds is on our roads throughout the city?

>> That's correct.

>> Morrison: Mayor.

Sorry.

and i just want to -- you might have a very quick comment on this.

As long as you were on this

item, but i-35, I think
transportation is probably our
most critical need in this city,
transportation improvements.

And among all of the
transportation projects, the
most significant project is
i-35.

That's where our biggest problem
is.

We've talked about all of the
statistics that are, you know,
the fourth most congested road
segment in the entire nation, et
cetera, et cetera, and so to
start off with -- I know the
initial assessment on i-35 is
hutch much higher than it
already is now.

It's already -- I can't support

additional reductions in that.

I haven't flushed all of this out, but I do know the course we are on, the capital area mpo has allocated, actually loaned money for construction of managed lanes on mopac because that project is shovel ready right now.

We had the ability to do that because it was shovel ready. A lot of advantages that I am not going to go into now, but the thinking on the mpo is that if we have design projects ready to go on i-35, if the engineering is done and design is complete, when that money is paid back from the mopac project in just a few years, potentially, that could be used to actually fund the building of

these i-35 improvements which,
as I said, we need more than
anything else, so, again, I am
not going to be able to support
that part of the substitute
motion, either.

>> Cole: That's not in the
substitute.

>> Morrison: It's not in right
now.

I know,
but I am -- the part we are
talking about.

>> Cole: The harold court.
Okay.

I are have a question because
kathie last time you suggested
reduction of only 5 million but
howard, I hear you saying you
can't do it with 5 million,
either, or can you do any design
work?

>> Additional estimate for
harold court facility was
\$16 million.

I think what you started with
which is task force
recommendation has put
\$5 million out so it is down to
\$11 million in change that i
just showed on the -- on the
slide.

>> Cole: Okay.

Well, I will not accept that as
friendly, but I will make a
suggestion that we reuse the
urban rail planning money, the
\$2 million as a potential
reduction.

>> I am sorry, mayor pro tem,
you don't have that many to use
because if you go back to 400
recommendation from the task
force, that was not included in

the line item, it was only
offered up as modification to
the 385 recommendation.

>> Morrison: Mayor, if I may.
council
member morrison.

>> Morrison: But on the other --
thank you for that, so we don't
have that to use as a reduction.

However, we do have, from the --
from city manager's memo, as
council member martinez
mentioned, there are -- there
are some items that were
suggested for rearrangement by
the city manager that are sort
of available for adjustment in
the task force that we are
working from right now and if i
am correct, I think that is the
\$2 million -- well, the bicycle

urban trail and grant match is actually at 5 million and the task force recommendation as opposed to 6, but we can still think about including the violet crown -- we could still reduce that by 2 million, I guess is the point.

So we could offer that as a reduction and the other that's still is viable with our starting point is the idea of the city wide bike ways program, which I think is a60 or a59, to think about e 51st street being covered somewhat by that.

>> Cole: So what -- how much are you wanting to include or reduce by?

>> Morrison: So that actually is 5 million in reduction,

combined from those two line items, so the -- the amendment i am proposing here is to reduce bicycle urban trail and grant match by 2 million, and to reduce city wide bike ways by 5, with the understanding that we are actually doing trails and bike-ways with these specified projects.

do you

accept that, mayor pro tem?

>> Cole: Yes, I do.

>> Morrison: So that is another 3.5 in reduction -- reduction.

>> Cole: And we also have an item for minor bridge culverts construction that was at the task force recommendation of 2,100,000, and I would suggest that we not do that item.

It was minor bridge culverts and structures.

I am sorry, mayor.

1

out of the transportation.

>> Cole: 1.7.

>> Mayor leffingwell: 1.7.

council

member morrison do you accept that?

Would you like to hear from.

>> Morrison: I would like to hear from staff.

>> Mayor leffingwell:
martinez would you like to hear from staff or would you like to make a comment.

>> Martinez: I would like to
make a comment.

It seems like we are going down
the list and trying to find
reductions and while i
appreciate trying to get to the
385, my preference would be that
we continue to work on this, on
second and third reading as
opposed to just going down and
willy-nilly selecting items that
look like that can get us to
385, and with all due respect
with robert rules of order,
everybody has had an opportunity
to speak for or against this
item and it would be within
order to call the question on
this motion, but I appreciate
and respect the work that you
all are trying to do.

I understand it.

But I just feel like we are
piecemealing now.

There is no cohesiveness to the
proposal.

It is simply trying to get down
to 385 so we can take a vote and
I won't be supporting that.

I won't call the question for
now but it seems to keep going
on.

I do
think we need to get some
resolution because we need to
get a motion on the table on
first reading today so that we
can meet our critical time level
before the 20th, when we have to
have all of this done.

There will be opportunity to
make these change
recommendations on subsequent

readings, which ever motion passes, and so I would urge you to go ahead and lay your motion on the table for a vote.

If you have got specific recommendations --

>> Cole: Mayor, I will do that.

and not

go down the list looking for things.

>> Cole: Mayor, I would say the recommendations I have made since the question of going over the tax rate, I will not in the end support a motion that exceeds the 385 and results in a tax increase, and the items since then that I have suggested have not been willy-nilly.

They have just been on my list of potential items.

I would like to ask for a final
number, if we have it, and then

I am ready for us to vote.

Yes, shelby.

>> If you wouldn't mind, if i
can get clarification in the
reduction in minor bridges,
culverts and structures, is it
the full amount of 2.1.

that has

not yet been accepted.

>> Cole: Yes.

It has not yet been accepted.

it has not yet

been accept and you don't accept

it.

Okay.

>> The core reduction -- the
core was it was accepted as
friend lid and has been removed

in your motion.

Mayor pro tem, we just want to clarify.

>> Morrison: Is harold court in or out.

>> Cole: For first reading only.

Yes.

For first reading only.

I think we need to do work with staff and actually visit the facility.

>> Morrison: It is included

or --

the

reduction --

[multiple voices]

>> mayor leffingwell: okay.

Everyone, please.

The reduction is included -- was
accepted and is part of the
motion at this point.

>> Point of order, mayor.

council

member martinez raises a point
of order.

>> Martinez: There was a
friendly amendment to remove
harold court completely from the
mayor pro tem's proposal.
She entertained that after the
presentation.

She made a comment that she did
not accept it as friendly.

>> Mayor leffingwell: okay.

That was the question I is and
the answer I got was contrary to
that.

Council member -- mayor pro tem.

>> Cole: Let me be clear.

>> Mayor leffingwell: be clear.

>> Cole: At this point, I will
entertain that motion on first
reading.

I do believe we have additional
work to do with staff based on
staff testimony.

does that

mean do you accept it?

>> Cole: I do accept it.

you

accept it, so it's removed.

It's removed from the substitute
motion.

Council member morrison.

>> Morrison: Thank you, mayor.

I want to step back a minute and
say of course I am going to
support this motion.

I do hope that some of the task
force members are watching us or
will go back and watch this
because they get to now
experience us going through the
excruciating deliberations that
they did week after week after
week, and I think that we get to
experience that now.

For me, it is absolutely
paramount that we give them the
respect for the work that they
did and I think we obviously
have to adjust and I think -- i

hear everybody saying they want to stick -- to get to 385, but for me, it is paramount that we start with theirs, with their recommendation and adjust it to get down to 385.

They are the ones that brought the -- that wove together the staff recommendations, the perspective from inside the city, and the community -- the community's perspective from outside the city.

If we were to begin, with all due respect to the city manager and I appreciate the work that he did in attempting to put together something that addresses some of the issues that we brought up -- that were brought up, if we were to

basically throw out the task
force work and start with the
city manager's recommendations,
I don't know how we can ever go
and ask our citizens to come and
sit and volunteer their
expertise and their passion for
the community for hours on end
if we are not going to at least
start from there -- from their
work and give their work a nod,
so I just want to sort of lay
that out there, that I am --
there is a lot of things that i
think are important, a lot of
priorities that aren't in here.
My main priority is starting
from the task force.

any other

comments?

Council tovo.

>> Tovo: Just a quick one, that

I think the funding reduces
it down to 15 million, is
what I thought but maybe we can
get clarity on that if we go
back to the main motion but I
want to say one of the things I
think the task force did with
community projects and I think
that is where we have -- we
don't yet have the consensus on
the community project money but
it seems like they heard them,
they considered a wider range.

They arrived on some really
significant community projects
that deserve funding and I
regret that we are in the
substitute motion, we are not
proposing as much funding as
those groups have requested.

I wish there were more funding

available to do so because they
are very worthy organizations
and I flow they will use it
wisely for the benefit of our
community, but it is a balancing
act and I believe we also need
to fund our city facilities.

I want to say on that note, i
hope we can do some more
thinking about harold court
because it does sound like it
needs to be back in there but we
are going to have to look hard
at some of the other reductions
lasarus said
about not being able to defer
that work with much funding with
the transportation fund, based
on our conversation the other
day, it sounded likes the more
possible than it did today but i
want to continue talking to
staff about that.

But to me, it is balance.

It's not going to get all of the community projects in particular completed but I guess I do -- i say that in specific items response before that the proposal is allowing a little bit of funding but not actually allowing them to be complete but I think the seed money will allow the groups to go out and get additional funding and i know it was a challenge and goal of the task force to provide some money to allow them to leverage other funds and I think that respects that intent.

>> Cole: Mayor, I want to be clear.

mayor pro

tem.

>> Cole: I want to be clear this motion does not include the i-35 reduction.

Okay.

>> Mayor, if it makes sense, would it be okay if my staff goes through where we are at right now based on the discussions as far as adds and discussions?

>> Mayor leffingwell: sure.

Sure.

>> Okay.

I am going to go through additions first and then reductions, if that's okay.

I have an addition of 2 million

for austin film studios, an
addition of 2 million for women
and children's shelter.

An addition of 2 million --
2 million for dougherty arts
center, an addition of
2 million for affordable
housing, an addition of 150,000
for ada wheelchair accessible
fishing pier, an addition of
1 million for barton springs
pool master plan, an addition of
1 million for south district
maintenance facility.

Now, reductions, I have a
reduction -- excuse me --

>> Cole: What happened to east
51st street.

>> I don't have east 51st street
in there.

>> Was it 2 million or

1 million?

>> It is an additional of

1 million from the task force on
that package.

Okay.

Now.

Reductions, I have a reduction
of 2 million for the bicycle
urban frames and grant match.

5 million for
city wide bike-ways.

9 million for
northwest substation, a
077 for harold
court, a reduction of 1 million
for austin and manor trails and
reduction of 2 million for amor
shelton bridge and reduction of
2 million for park patrol
facility and that's all of the
reductions I have.

let me

just say before we vote that i
certainly respect the work of
the task force and appreciate
the sacrifice they have made and
the hours they have put in and
their recommendations certainly
have been taken into account and
there are a lot of similarities
between the two recommendations.

It's just a matter of where --
where do you start from and i
think it's easier to start from
the point where you are going to
end up which is the
\$385 million, but certainly all
of the modifications that you go
through, the task force
recommendation has been and will
continue to be taken into
account when those decisions are
made.

I am going to vote against the

substitute motion and for the main motion, if we get to that point, if the substitute motion doesn't pass.

With that, you know, that doesn't mean I support absolutely everything in the main motion.

I anticipate trying to make some changes to it.

Not today but on subsequent readings so there is still a work in progress.

And, finally, I i don't want to filibuster here, but we keep in mind that this is a -- it has been a difficult process, because the needs are so great and there are so many.

I would say that I haven't seen a single proposal that doesn't

have merit and that money
available, I would like to
see -- I would like to see
included in a bond package, but
given the constraints that we
are operating with, we have to
make those difficult choices,
and that's what we are about to
do on a preliminary basis right
here today.

So all those in favor, say
"aye." of the substitute motion.

Oppose say no?

No.

The motion fails on vote of 3-3,
with council member riley,
council member martinez and
myself voting no.

That brings us to the main
motion, and do you want to go

through that same exercise of
the main motion?

It might be helpful if you say
adding and that brings the total
..

>> Yes, sir.

I have an addition of 2 million
for violet crown trail, an
5 million for east
51st street, an addition of
5,481,000 for austin film
studio.

An addition of 5 million for
mexico museum.

An addition of 2 million for bar
torn springs bathhouse.

An addition of 7 million for the
neighborhood partnering program.

An addition of 2,850,000 for
homeless women and children's
shelter.

An addition of 150,000 for ada
wheelchair accessible fishing
5 million
for the fire station on loop
360.

And that's all the additions i
have.

Reductions, I have reduction of
2 million for bicycle trail
urban trails grant match.
again,

what does that leave us with,
after you made the reduction?

Do you have that?

>> It is a little more
complicated.

>> Mayor leffingwell: go ahead.

We will just have to figure out
that part out later.

>> Okay.

>> Okay.

We have a discrepancy, is the
reduction of 2 million part of
the bicycle --

>> Martinez: That was not part
of my proposal.

reduction

of 2 million for the --

>> reduction of 2 million for
the urban corridor project?

>> No.

Do you want me to read them
again.

>> No.

I think what the problem is now.

Let me try one more time.

Okay.

A reduction of 9,933,000 for
northwest substation.

A reduction of 5,048,000 for
a reduction of
2 million for third recreation
facility.

A -- the third recreation
facility.

3.7 For I-35, reduction.

>> Martinez: Right.

You are right.

You were going off the memo in
the --

>> and I didn't catch the change
with this one.

>> Martinez: The additional 5.5.

>> But we do have a note that urban rail is included so urban rail is in there.

>> So we will put the urban rail down.

>> Martinez: Sorry, you were correct the first two proposals came from the city manager's proposal.

They weren't from mine but i adopted from the city manager and they were the urban rail and the urban rail and grant match program.

>> And it also holds true for the city wide bike-ways, 1.5 million?

>> Martinez: Yes, it does.

>> Let me add those back in real quick.

>> Martinez: Sorry.

>> That gives us total bond package of 384,948,000.

Yes.

>> Martinez: You can keep the change, mayor.

[Laughter]

actually,

I have big plans for that remaining amount here, so we will talk about them tomorrow.

>> Cole: Mayor, can i.

>> Mayor, can i, and on what i said earlier about what the actual two items that you need to do, what you have done is you have gone through and you considered taking action on the

specific projects which would
then make up each proposition
but my bond lawyers tell me
specifically what you also need
to don't first reading today is
on the propositions say what the
total amount will be.

That's the ordinance that's
actually before you, and just
like you can go in and change
individual items tomorrow,
thursday, or if we have a
special call meeting, you can
also then go in and change those
amounts but will we actually
need a first reading on, and i
assume staff has that
proposition 13, 14, 15, 16, 17,
18, 19, those total amounts for
each of the different bundled
propositions.

So that would be included in any

motion that would be made.

do you

have those totals available?

>> We can, once you make a motion, and a motion passes, we can -- we will go back.

>> Yes, we will take a few minutes to calculate those. I guess one question I have is could there be -- and this is for the city manager, could there be a -- for the city attorney, could there be for passing the overall bond package and we bring them back by proposition tomorrow to review those amounts. she just said no.

>> No, no, I was just talking

[indiscernible]

>> Cole: Mayor, can I ask a
question.

yes, go

ahead.

>> Cole: I am not clear on what
the final number was on the
motion that I made.

>> The motion you made, the
final number was 386,173,000.

so the

..

At any rate, I think the best
way to proceed would be to vote
on this main motion and then i
guess the posting is adequate
for us to vote on an alignment
within the various propositions
after that.

>> Yes, I think that's correct.

If you are voting on the proposition and you've got the total dollars and then you can vote that on first reading and then presumably staff can do the calculation to make sure that the dollars are in the right places, which you would need to vote on, but that would have to have then -- because those amounts will not have an opportunity for three readings, and your schedule is currently envisioned, you would need at least five votes.

can we do that today?

>> If you do it tomorrow or thursday, you need to have at least five votes on those amounts.

it is

pretty risky.

[Laughter]

>> and let me -- I am thinking
on my feet here, trying to help.
There is a provision in the open
meetings act that allows the
council to recess the meeting
without reposting that agenda if
you do it to the next meeting
and I see my lawyers back there
getting nervous, so if maybe we
could recess this meeting with
something tentatively a number,
we still might have three
readings.

>> We can calculate it by
proposition base but we will
need five minutes to tally it
up.

let's do

it that way, rather

wonder -- rather than wandering

in unchartered area here.

Council member martinez.

>> Martinez: Do we need to adopt

a motion with the specific

reallocations so they can

know --

after we,

assuming that the main motion

does pass, then they are going

to take five minutes and put all

of those modifications in the

right slots and come back with a

suggested, to do it, proposition

by proposition and a we can take

it all at the same time, i

suppose.

Okay.

So now we have the main motion

before us.

The motion is to approve this on
first reading.

"

yay.

Opposed say no.

So that motion fails on a vote
of 3-3.

, With council members tovo,
morrison and mayor pro tem
voting no, and I am afraid that
puts us into special call
meeting territory possibly this
weekend.

>> Yes, sir, that's what we were
going to -- either -- of course
we have friday, saturday, sunday
or monday.

Monday is the last official day
to call the election and so it
does now put us into special
call meeting because we are
going to have to have three
readings on the ordinance.

>> Yes.

so the
plan is tomorrow, second
reading, that's right?

>> We don't have a first
reading.
first
reading tomorrow?

>> Well, maybe.

I am just trying to think -- we
are posted for tomorrow and
thursday and so I was looking at

the days and say we don't do
anything tomorrow, then we -- we
what we are running out of time
is posting notice for the
special call meeting for all the
other days we have available.

We need 72 hours so if we were
going to call a meeting on
friday, we need to post -- well,
sometime today, and that would
be late friday.

If we are going to have a
meeting saturday, we are okay,
or sunday, or monday, we are
okay.

But we --
why don't
we just work this out after the
meeting and see what -- what the
best course of action is.

>> Well, under the charter, the

mayor can call a special call meeting or any two council members, the way our practice has been, it is generally been the mayor, but if you want to have a discussion about that, i think we -- we can always have a discussion without it being posted about a future meeting and putting items on a future meeting.

So if you want to have a discussion about that, you can, and give directions then.

council

member morrison.

>> Morrison: I would just like to suggest that we think about posting for a friday afternoon meeting, where that keeps our options open to whatever happens

tomorrow as we are getting down
the line.

Certainly --

we

certainly will think about that.

There is another meeting that is
scheduled from 1 to 3 on friday,

but of course that can be

postponed or canceled, but any

other suggestions?

Friday afternoon is one
suggestion.

>> Cole: Friday morning.

>> Mayor pro tem we are outside

the 72 deadline for friday

morning deadline right now.

we can't

start before 1:00 p.m.

>> Yes, and that would mean we

would have to get it -- john is

coming up here quickly.

council

member tovo.

>> Tovo: Mayor I think it would

be great to get special called

meetings on the calendar so we

have that option if we need

them, even if it means setting

'em up for friday, saturday,

sunday, monday and so we make

sure we can get them done in

time.

that's

what we are doing right now.

>> There is another legal issue

which is on the agenda today

which is to set the ballot

order, maybe if we can do that

without the bonds, we could have

that issue on the first reading

taking care of, because -- taken

care of -- sorry, on second

reading taken care of.

>> All three.

>> All three.

Okay.

As you will recall, we have

already passed other charter

amendments and we had never set

the ballot, so if we can somehow

get that taken care of today,

that would be helpful and then

we can just focus on the bond

issues and then we amend that

valid order once that is

determined.

>> Let me flow when you are

read -- let me know when you are

ready for b1.

we are

readily.

>> Agenda item b1 is an

amendment to the call of the ordinance that calls the election.

We have in yellow copy today that will be handed out in just a moment an ordinance that lists out the 11 propositions that council has placed on the ballot, and it shows the language and the order and this will be an amendment to the order calling the election and that will be handed out in a moment.

We apologize.

Staff was careful to create yellow copy but it didn't copy both sides so we need to that come in and we will have a copy.

That is the only changes we are

proposing for b1.

>> Morrison: Mayor.

>> Can you read the order until
we get the copies?

>> Morrison: Okay, may I ask
something.

>> Mayor leffingwell: yes.

>> Morrison: One of the things i
wanted to ask our staff is the
issue of getting assessments of
fiscal impacts of charter
amendments we are putting on the
ballot, whether or not they
would have the fiscal impact and
what the fiscal impact would be,
and I understand that actually
that's part of the usual
routine, so I wanted to hear
what we might expect in that

regard.

>> Sure, the state law requires that all charter amendments include their fiscal impact in the newspaper notice that we publish in the month before the election.

So if staff has done an assessment of the items we anticipate will have a fiscal impact.

Two items you have seen the fiscal note for.

You have seen the fiscal note for 10-1, and the fiscal note for 8-2-1.

The item that is the personnel civil service, the fiscal note for that is being done now.

As you know, there were several amendments made last council

meeting during the course of the day to the ordinance and that had a significant effect on the fiscal impact document so that is being worked on.

And then the two made to november -- the two may to november items are assessed to have a savings to the city due to reduced election costings of \$255,000 per election cycle, so those are assessments that if any news team has made.

Would you like to add anything to that?

>> No.

>> Morrison: So I understand, it will be part of our call for the election and the notice of our election.

I don't

think your mic is on?

>> Morrison: So there will be a formal rollout of these?

Is there a way that information will be made available?

Because I know there has been some public discussion and so you say that, for instance, that the 8-2 and the 10-1 fiscal note were part of q and a but that's not publically available?

>> It is publically available.

That backup was done yellow copy on the day they passed.

So those are online now.

>> Morrison: Great.

Do you know what the day would be?

I am just trying to figure out

how to tell people how to find
it?

>> Sure.

The 10-1, those were both 83 and
84 on June 28th.

>> Riley: Twenty-eighth.

Okay.

>> The city manager gave us that
date, June 28.

>> Morrison: And we can expect
the one on civil service, which
as you mentioned, there was
significant changes, so there
had been a memo.

There is going to be significant
changes probably to the -- to
the fiscal impacts.

Do you have an idea of when we

might be able to expect that to
be available?

>> Ott: It's difficult to say.

I can tell you that staff is
working on that.

We had a conversation just
yesterday and I know that they
have already started to pull the
team back together to do that
fiscal analysis.

So probably within the next few
days.

I see mr. washington out there.

Am I accurate in that, the next
few days, we should have a
revised impact analysis?

>> Yes, we are trying to get
something for the city manager

to review this week.

>> Morrison: Thank you.

I appreciate that.

>> Mayor leffingwell: okay.

So we have the proposal before
us and this is for second
reading?

>> Three.

>> This can be all three.

first,

second, and third.

Okay.

We just discussed it before.

We never passed it.

I entertain a motion for the
ballot order item.

>> Cole: So moved.

>> Mayor leffingwell: move.

To approve this ballot order.

Motion by mayor pro tem to
approve on all three readings,
the ballot order in this yellow
sheet.

Is there a second to that?

>> Oh, one small comment, this
ordinance you have in backup
will exclude the reference to
today's bond item.

That was simply a place holder
in case decisions were made
today.

>> Mayor leffingwell:

Understood.

Is there a second by council
member riley?

"

aye.

Opposed say no.

Passes, vote of 7-0 -- 6-0, with
council member spelman off the
dys.

>> The final item is b5 and
staff has no presentation unless
there are questions from
council.

It is a general discussion of
election issues.

all

right.

Without objection, we are

adjourned at 1:00 p.m.